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HANSARD'S
PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

42° & 43° VICTORIÆ, 1879.

VOL. CCXLVIII.

COMPRISING THE PERIOD FROM

THE TENTH DAY OF JULY 1879,

TO

THE SECOND DAY OF AUGUST 1879.

Sixth Volume of the Session.

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VOLUME CCXLVIII.

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Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 29, Noes 421; Majority 392.—(Div. List, No. 159.)

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PARLIAMENT—PRIVILEGE—PROCEEDINGS OF THE HOUSE—NOTE-TAKING IN THE MEMBERS' SIDE-GALLERY—RESOLUTION—

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Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 289, Noes 183; Majority 106.

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After short time spent therein, Bill *reported;* as amended, to be *considered* upon *Monday* next.

Knightsbridge and other Crown Lands Bill [Bill 231]—

Moved, "That the Bill be now read a second time,"—(*Mr. Gerard Noel*) 728
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* to a Select Committee:—List of the Committee .. 729

QUESTION.

SOUTH AFRICA—THE ZULU WAR—REPORTED SUBMISSION OF CETEWAYO—Question, Mr. Dillwyn; Answer, Sir Michael Hicks-Beach .. 729

Army Discipline and Regulation (Commencement) Bill—*Ordered* (*Colonel Stanley, Mr. Secretary Cross, Mr. William Henry Smith, The Judge Advocate General*); *presented*, and read the first time [Bill 248] 729

Commissioners of Woods (Thames Piers) Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Mr. Gerard Noel*); *presented*, and read the first time [Bill 249] 730

LORDS, FRIDAY, JULY 18.

SOUTH AFRICA—THE ZULU WAR—THE DEFEAT AT ISANDLANA—THE COURT OF INQUIRY—Question, Lord Truro; Answer, Viscount Bury .. 730
SOUTH AFRICA—LATEST TELEGRAM—Question, The Earl of Kimberley; Answer, Earl Cadogan 731

Metropolitan and Metropolitan District Railway Companies Bill—
Order of the Day for the Third Reading, read 732
After short debate, Third Reading *postponed* to *Tuesday* the 22*nd instant.*

SUCHAIT SINGH—THE CHUMBA SUCCESSION—RESOLUTION—
Moved to resolve, That this House is of opinion that the claim of Suchait Singh should be investigated either by referring it to the Judicial Committee of the Privy Council, or to a Select Committee, or to a special commission not composed of Indian Government officials,—(*The Lord Stanley of Alderley*) 733

After short debate, on Question? *Resolved* in the *Negative.*

MEETING OF THE HOUSE TO-MORROW (SATURDAY)—Observation, The Duke of Richmond and Gordon 744

Bills of Sale (Ireland) Bill [H.L.]—*Presented* (*The Lord O'Hagan*); read 1^a (No. 155) 744

COMMONS, FRIDAY, JULY 18.

PRIVATE BUSINESS.

Great Northern Railway (*Ireland*) *Bill* [*Lords*] (*by Order*)—
Bill, as amended, *considered* 744
After short debate, Bill to be read the third time.

QUESTIONS.

DESPATCH No. 4 (LEGISLATIVE) INDIA—OPINIONS OF LOCAL GOVERNMENT OFFICERS, EUROPEAN AND NATIVE, UPON AND CORRESPONDENCE—Question, Sir Wilfrid Lawson; Answer, Mr. E. Stanhope 750
ROYAL IRISH CONSTABULARY—TOWN INSPECTOR OF BELFAST—Question, Mr. O'Shaughnessy; Answer, Mr. J. Lowther 750
TREATY OF BERLIN—ASIATIC PROVINCES OF TURKEY—SECRETARY OF STATE'S DESPATCH 8TH AUGUST, 1878—Questions, Mr. Baxter, Sir Charles W. Dilke; Answers, Mr. Bourke 751
METROPOLIS—EDUCATIONAL CHARITIES OF LONDON—Question, Mr. E. Jenkins; Answer, Lord George Hamilton 752
POST OFFICE (CONTRACTS)—THE PENINSULAR AND ORIENTAL STEAM NAVIGATION COMPANY—Questions, Mr. Rathbone, Mr. Isaac; Answers, Sir Henry Selwin-Ibbetson 752
NAVY—H.M.S. "WARRIOR"—Question, Mr. Biggar; Answer, Mr. W. H. Smith 753
ARMY MEDICAL DEPARTMENT—EXAMINATIONS—Question, Mr. J. Brown; Answer, Colonel Stanley 753
POST OFFICE (CONTRACTS)—THE AUSTRALIAN MAILS—Question, Mr. Sampson Lloyd; Answer, Lord John Manners 753
FRENCH AND ENGLISH MARRIAGE LAWS—Question, Mr. Hardcastle; Answer, Mr. Assheton Cross 754
NAVY—NAVIGATING OFFICERS—Question, Mr. Sampson Lloyd; Answer, Mr. W. H. Smith 755
ARMY—THE 60TH RIFLES—CASE OF COLOUR SERGEANT DICKATY—Question, Mr. Price; Answer, Mr. Cavendish Bentinck 755
CRIMINAL LAW—THE QUEEN v. CASTRO—Question, Dr. Kenealy; Answer, Mr. Assheton Cross 756
SOUTH AFRICA—THE ZULU WAR—THE LATEST TELEGRAM—Question, Mr. W. E. Forster; Answer, Sir Michael Hicks-Beach 758
PEACE PRESERVATION (IRELAND) ACT—SPECIAL POLICE TAXES—Questions, Major Nolan, Mr. Parnell, Mr. Biggar, Mr. Callan; Answers, Mr. J. Lowther 758
PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS—Statement, The Chancellor of the Exchequer; Observations, Mr. Callan 759

ORDER OF THE DAY.

Army Discipline and Regulation Bill [Bill 245]—

Order read, for resuming Adjourned Debate [July 17]:—Debate *resumed* 760

After debate, it being ten minutes before Seven of the clock, further Consideration of the Bill, as amended, stood adjourned till *this day*.

It being five minutes to Seven of the clock, the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" 774

After short debate, Motion, by leave, *withdrawn*:—Committee *deferred* till *Monday* next

Army Discipline and Regulation Bill [Bill 245]—

Bill, as amended, *further considered* 774

After long debate, *Moved*, "That further Consideration of the Bill, as amended, be now adjourned,"—(*Mr. Parnell*:)—After further short debate, Motion, by leave, *withdrawn*.

After further short debate, Question, *Moved*, "That the Bill be now read the third time,"—(*Colonel Stanley*:)—Question put, and *agreed to*:—Bill read the third time, and *passed*.

ARMY DISCIPLINE AND REGULATION (COMMENCEMENT) [EXPENSES]—

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of rates for Billeting and other Expenses of Troops on the March, in pursuance of the provisions of any Act of the present Session for bringing into force "The Army Discipline and Regulation Act, 1879."

Resolution to be reported upon *Monday* next.

Poor Law (Scotland) (No. 2) Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Cross*); *presented*, and read the first time [Bill 252] 815

LORDS, SATURDAY, JULY 19.

Army Discipline and Regulation Bill—

Brought from the Commons; read 1^a; to be *printed*; and to be read 2^a on *Monday* next: (*The Viscount Cranbrook.*) (No. 156.)

LORDS, MONDAY, JULY 21.

SOUTH AFRICA—THE ZULU WAR—LATEST TELEGRAMS—Question, Viscount Cardwell; Answer, Viscount Bury 817

SLAVERY IN CUBA—MOTION FOR PAPERS—

Moved, That there be laid before the House—

"Copies of all despatches and papers containing any communications on that subject which have passed between Her Majesty's Government or Her Majesty's Minister at Madrid and the Spanish Government, and which have not already been laid before Parliament,"—(*The Lord Selborne*) 818

After short debate, Motion (by Leave of the House) *withdrawn*.

Army Discipline and Regulation Bill (No. 156)—
Moved, "That the Bill be now read 2ª,"—(*The Viscount Cranbrook*) .. 830
After short debate, Motion *agreed to*:—Bill read 2ª accordingly; Committee *negatived*; and Bill to be read 3ª *To-morrow*.

COMMONS, MONDAY, JULY 21.

NOTICES OF QUESTIONS.

Treaty of Berlin — The Jews in Eastern Roumelia — Notice of Question, Mr. Serjeant Simon 842
Russia—Treatment of Political Offenders—Alleged Russian Atrocities—Notice of Question, Mr. J. Cowen 842

QUESTIONS.

Army — Ordnance Department — Claims of Mr. Padwick—Question, Colonel Beresford; Answer, Lord Eustace Cecil 843
India—Finance Accounts—Question, General Sir George Balfour; Answer, Mr. E. Stanhope 844
Charity (Expenses and Accounts) Bill—Question, Mr. W. H. James; Answer, The Chancellor of the Exchequer 844
Treaty of Berlin—The Russians in Eastern Roumelia — Questions, Mr. J. R. Yorke; Answers, Mr. Bourke 845
Supreme Court of Judicature (Ireland) Act, 1877—Re-organization of the High Court of Judicature—Question, Mr. Macartney; Answer, The Attorney General 846
Navy—H.M. Gunboat "Tyrian"—Question, Colonel Colthurst; Answer, Mr. W. H. Smith 846
Navy—The Whampoa Dock Company — Question, Colonel Arbuthnot; Answer, Mr. W. H. Smith 847
Elementary Education—Establishment of Training Ships—Question, Captain Pim; Answer, Sir Matthew White Ridley 847
Coroners (Ireland) — Legislation — Question, Mr. Errington; Answer, The Attorney General for Ireland 848
Criminal Law—The Stripping and Searching of Prisoners—Question, Mr. H. B. Sheridan; Answer, Mr. Assheton Cross 848
Great Britain and Egypt—Question, Sir Charles W. Dilke; Answer, The Chancellor of the Exchequer 849
South Africa — The Zulu War—The Expenditure — Questions, Sir George Campbell, Mr. Rylands; Answers, The Chancellor of the Exchequer 849
Criminal Law (Ireland) — Case of Ann Bradley — Questions, Mr. Sullivan; Answers, Mr. J. Lowther 850
The Ordnance Survey—Question, Mr. Rowley Hill; Answer, Mr. Gerard Noel 851
Science and Art—The Indian Museum—Question, Mr. Percy Wyndham; Answer, Mr. E. Stanhope 851
Railway Rates for American Produce—Question, Sir Lawrence Palk; Answer, Mr. J. G. Talbot 852
Customs Bill of Entry Office—Question, Mr. Rylands; Answer, Sir Henry Selwin-Ibbetson 853
The Royal Horticultural Society's Gardens, South Kensington — Question, Mr. J. R. Yorke; Answer, The Chancellor of the Exchequer 853
Germany — The Islands of the Pacific — Question, Mr. Alderman M'Arthur; Answer, Mr. Bourke 854

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THE METROPOLITAN POLICE FORCE — REPORT OF THE DEPARTMENTAL COMMISSION — Question, Sir Sydney Waterlow; Answer, Mr. Assheton Cross 854

RIVERS CONSERVANCY BILL—LEGISLATION—Question, Mr. E. W. Harcourt; Answer, The Chancellor of the Exchequer 854

POOR LAW AMENDMENT (SCOTLAND) BILL—Question, Mr. Grant; Answer, The Lord Advocate 855

ARMY—THE NEW RETIREMENT SCHEME—Question, Major Nolan; Answer, Colonel Stanley 855

ARMY—ARMY OFFICERS AS WAR CORRESPONDENTS—Questions, Sir George Campbell; Answers, Colonel Stanley 856

ARMY CLOTHING ESTABLISHMENT, PIMLICO—Question, Mr. Mundella; Answer, Colonel Stanley 856

UNDER SECRETARY OF STATE FOR SCOTLAND—Question, Mr. J. W. Barclay; Answer, Mr. Assheton Cross 857

POST OFFICE MAIL CONTRACTS—MAILS TO INDIA AND CHINA—Question, Mr. Isaac; Answer, Sir Henry Selwin-Ibbetson 857

BANKRUPTCY LAW AMENDMENT BILL—Question, Mr. Rathbone; Answer, The Chancellor of the Exchequer 857

LAW AND JUSTICE—APPOINTMENT OF THE SOUTH STAFFORDSHIRE POLICE STIPENDIARY MAGISTRATE—Question, Sir Charles Forster; Answer, Mr. Assheton Cross 858

ARMY — THE LATE PRINCE IMPERIAL — COURT MARTIAL ON LIEUTENANT CAREY—Question, Sir Robert Peel; Answer, Colonel Stanley .. 858

PARLIAMENT—BUSINESS OF THE HOUSE—ARRANGEMENT OF PUBLIC BUSINESS—Questions, Mr. Hankey, Mr. Fawcett; Answers, The Chancellor of the Exchequer 859

ORDERS OF THE DAY.

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.

(In the Committee.)

CLASS III.—LAW AND JUSTICE.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £822,192, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Constabulary Force in Ireland" 859

After debate, Motion made, and Question proposed, "That the Item for the Salary of the Inspector General be reduced by £500,"—(*Mr. O'Shaughnessy* :)—After further short debate, Question put:—The Committee *divided;* Ayes 16, Noes 74; Majority 56.—(Div. List, No. 186.)

Original Question again proposed 889

Motion made, and Question proposed, "That the Item of £12,829, be reduced by the sum of £110,"—(*Mr. Callan* :)—After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 893

After short debate, Motion made, and Question proposed, "That the Item of £5,215, for Pensions of the Inspector General and the Assistant Inspector General, be omitted from the proposed Vote,"—(*Mr. Meldon* :)—After further short debate, Question put:—The Committee *divided;* Ayes 22, Noes 88; Majority 66.—(Div. List, No. 187.)

Original Question again proposed 903

Motion made, and Question proposed, "That a sum, not exceeding £772,192, be granted, &c.,"—(*Mr. O'Donnell* :)—After short debate, Question put:—The Committee *divided;* Ayes 18, Noes 127; Majority 109.—(Div. List, No. 188.)

Original Question again proposed 910

Motion made, and Question proposed, "That a sum, not exceeding £821,692, be granted, &c.,"—(*Mr. Gray* :)—After debate, Motion, by leave, *withdrawn.*

Original Question again proposed 920

Motion made, and Question proposed, "That a sum, not exceeding £821,792, be granted, &c.,"—(*Major Nolan* :)—After short debate, Question put:—The Committee *divided;* Ayes 27, Noes 162; Majority 135.—(Div. List, No. 189.)

Original Question again proposed 921

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SUPPLY—CIVIL SERVICE ESTIMATES—Committee—*continued.*

Motion made, and Question proposed, "That a sum, not exceeding £796,842, be granted, &c.,"—(*Mr. Callan* :)—After short debate, Motion, by leave, *withdrawn.*
After further short debate, Original Question put, and *agreed to.*
Motion made, and Question proposed, "That a sum, not exceeding £111,661, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Expense of the Superintendence of Prisons, and of the Maintenance of Prisoners in Prisons in Ireland, and of the Registration of Habitual Criminals" 928
Motion made, and Question proposed, "That a sum, not exceeding £110,461, be granted, &c.,"—(*Mr. Errington* :)—After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Gray* :)—After further short debate, Question put:—The Committee *divided;* Ayes 20, Noes 99; Majority 79.—(Div. List, No. 190.)
Motion (*Mr. Errington*), by leave, *withdrawn.*
Moved, "That the Chairman do now leave the Chair,"—(*Major O'Gorman* :)—After debate, Motion, by leave, *withdrawn.*
Original Motion, by leave, *withdrawn.*
(2.) £41,906, to complete the sum for Reformatory and Industrial Schools, Ireland.—After short debate, Vote *agreed to* 951
(3.) £4,824, to complete the sum for Dundrum Criminal Lunatic Asylum, *agreed to.*
(4.) £8,441, to complete the sum for the Land Judge's Offices, Ireland, *agreed to.*
(5.) £14,444, to complete the sum for the Registry of Deeds (Ireland).—After short debate, Vote *agreed to* 952
(6.) £2,070, to complete the sum for the Registry of Judgments, Ireland, *agreed to.*
(7.) £56,245, to complete the sum for County Court Officers, &c., Ireland, *agreed to.*
(8.) £103,017, to complete the sum for the Dublin Metropolitan Police.—After short debate, Vote *agreed to* 953

Resolutions to be reported *To-morrow,* at Two of the clock; Committee to sit again upon *Wednesday.*

Bankruptcy Law Amendment Bill [*Lords*] [Bill 114]—
Order read, for resuming Adjourned Debate on Question [16th July], "That the Bill be now read a second time:"—Question again proposed:—Debate *resumed* 955
After short debate, Question put, and *agreed to*:—Bill read a second time, and *committed; considered* in Committee, and *reported;* to be *printed,* as amended [Bill 254]; *re-committed* for *Monday* next.

LORDS, TUESDAY, JULY 22.

Brentford and Isleworth Tramways Bill—
Moved, "That the Bill be now read 3ª" 956
Amendment *moved,* to leave out ("now") and add at the end of the Motion ("this day three months,")—(*The Lord Truro.*)
On Question, That ("now") stand part of the Motion? their Lordships *divided;* Contents 44, Not-Contents 5; Majority 39.
Division List, Contents and Not-Contents 957
Resolved in the *Affirmative;* Bill read 3ª accordingly, with the Amendments; further Amendments made; Bill *passed,* and sent to the Commons.

Metropolitan and Metropolitan District Railway Companies Bill—
Order of the Day for the Third Reading, read 957
The Queen's *consent* signified; Bill read 3ª, with the Amendments:—After short debate, Bill *passed,* and sent to the Commons.

Commons Act (1876) Amendment Bill (No. 152)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Henniker*) .. 959
Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

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Army Discipline and Regulation Bill (No. 156)—
Moved, "That the Bill be now read 3ª,"—(*The Viscount Cranbrook*) .. 959
Motion *agreed to:*—Bill read 3ª accordingly, and *passed.*

Army Discipline and Regulation (Commencement) Bill—
Bill read 1ª 960

METROPOLIS—DANGERS OF THE STREETS—RESOLUTION—
Moved, "That in view of the enormous increase in the number of persons injured by the passage of vehicles in the streets during the year 1878 as compared notably with that of 1877 and the years preceding it, Her Majesty's Secretary of State for the Home Department be instructed to move the vestries of the several parishes of the Metropolis to erect central refuges in all such places as in the opinion of the superintendent of the police such shall be required for the protection of those passing on foot,"—(*Viscount Templetown*) 960
After short debate, Motion (by leave of the House) *withdrawn.*

DEATH OF THE PRINCE IMPERIAL—COURT MARTIAL ON LIEUTENANT CAREY—Question, Observations, Lord Truro; Reply, Viscount Bury .. 961

PARLIAMENTARY REPORTING—
Message to the Commons for the Reports from the Select Committee of that House (of this Session and last Session), together with the Minutes of Evidence, &c.

COMMONS, TUESDAY, JULY 22.

QUESTIONS.

ARTIZANS' DWELLINGS ACT, 1875—Questions, Mr. Fawcett; Answers, Sir James M'Garel-Hogg, Mr. Assheton Cross 962

FISHERIES—SALMON DISEASE—COMMISSION OF INQUIRY—Question, Captain Milne-Home; Answer, Mr. Assheton Cross 964

TURKEY—THE JEWS IN EASTERN ROUMELIA—Question, Mr. Serjeant Simon; Answer, Mr. Bourke 964

FISHERIES (SCOTLAND)—THE FIRTH OF FORTH—Question, Captain Milne-Home; Answer, Mr. Assheton Cross 965

SOUTH AFRICA—WAR WITH SIKUKUNI—Question, Mr. Whitwell; Answer, Sir Michael Hicks-Beach 965

SOUTH AFRICA—THE ZULU WAR—THE PAPERS—Question, Mr. Whitwell; Answer, The Chancellor of the Exchequer 966

SOUTH AFRICA—GRIQUALAND WEST—ALLEGED MASSACRE NEAR KOEGAS—Questions, Dr. Cameron; Answers, Sir Michael Hicks-Beach .. 967

NAVY—SENTENCE ON A SEAMAN AT SHEERNESS—Question, Mr. Macdonald; Answer, Mr. W. H. Smith 968

BANKRUPTCY LAW AMENDMENT BILL—Question, Mr. Rathbone; Answer, The Chancellor of the Exchequer 969

SOUTH AFRICA—GRIQUALAND EAST—THE IMPRISONED GRIQUAS—Questions, Mr. W. H. James; Answers, Sir Michael Hicks-Beach .. 969

POST OFFICE (IRELAND)—BELFAST POST OFFICE—Question, Mr. Biggar; Answer, Lord John Manners 970

ORDERS OF THE DAY—
Ordered, That the Orders of the Day appointed for this Evening be postponed until after the Notice of Motion relating to Unfulfilled Arrangements of the Congress of Berlin,—(*Mr. Chancellor of the Exchequer.*)

ORDERS OF THE DAY.

PRIVILEGE (TOWER HIGH LEVEL BRIDGE (METROPOLIS) COMMITTEE)—

Report from Select Committee *considered* 971

Moved, "That Mr. Charles Edmund Grissell and Mr. John Sandilands Ward do attend this House To-morrow, at Twelve o'clock,"—(*Mr. Chancellor of the Exchequer.*)

After short debate, Motion *agreed to.*

Army Discipline and Regulation (**Commencement**) **Bill**—

Bill *considered* in Committee 975

After short time spent therein, Bill *reported.*

Bill, as amended, *considered;* read the third time, and *passed.*

Banking and Joint Stock Companies Bill [Bill 126]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) 978

After short debate, Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Fraser-Mackintosh.*)

Question proposed, "That the word 'now' stand part of the Question:" —After further debate, it being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

Lord Clerk Register (**Scotland**) **Bill** [Bill 196]—

Bill *considered* in Committee 1025

After short time spent therein, Bill *reported;* as amended, to be *considered* upon *Thursday.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTION.

CONGRESS OF BERLIN (UNFULFILLED ARRANGEMENTS)—MOTION FOR AN ADDRESS—

Moved, "That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to use Her influence to procure the prompt execution of those Articles of the Treaty of Berlin which relate to reforms in Turkey; and further praying that, in undertaking mediation under the 24th Article of the Treaty, She will endeavour to procure for Greece the rectification of frontier agreed upon by the Powers,"—(*Sir Charles W. Dilke*) 1027

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House desires to express its gratification that the main portion of the stipulations of the Treaty of Berlin has been successfully carried into effect, and approves the steps which Her Majesty's Government have already taken to secure the full accomplishment of those portions of the Treaty which are still in course of execution,"—(*Mr. Hanbury*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:" — After debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. Monk:*)—Question put, and *agreed to:*—Debate *adjourned* till *Tuesday* next.

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ORDERS OF THE DAY.

National School Teachers (Ireland) Bill [Bill 246]—

Moved, "That the Bill be now read a second time,"—(*Mr. J. Lowther*) .. 1090

Moved, "That the Debate be now adjourned,"—(*Mr. Courtney* :)—After short debate, Question put:—The House *divided;* Ayes 4, Noes 43; Majority 39.—(Div. List, No. 191.)

Main Question put, and *agreed to* :—Bill read a second time, and *committed* for *Tuesday* next.

SUPREME COURT OF JUDICATURE (OFFICERS) [SALARIES, &c.]—

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, of the Salaries of the first Masters of the Supreme Court of Judicature, and, out of moneys to be provided by Parliament, of the Salaries and Pensions of Officers of the Supreme Court, as well as of Compensation for prejudice to any right or privilege which may become payable under the provisions of any Act of the present Session to amend the Supreme Court of Judicature Acts.

Resolution to be reported *To-morrow.*

LORDS, WEDNESDAY, JULY 23.

SOUTH AFRICA—THE ZULU WAR—LATEST TELEGRAM—VICTORY AT ULUNDI—Question, Lord Truro; Answer, Viscount Bury 1096

Army Discipline and Regulation (Commencement) Bill—

Read 2ª (according to order); Committee *negatived;* Then Standing Orders Nos. XXXVII. and XXXVIII. *considered* (according to order), and *dispensed with;* Bill read 3ª, and *passed.*

COMMONS, WEDNESDAY, JULY 23.

QUESTION.

GREENWICH HOSPITAL PENSION FUND—Question, Mr. Gourley; Answer, Mr. W. H. Smith 1098

ORDERS OF THE DAY.

University Education (Ireland) Bill [Bill 183]—

Order for resuming Adjourned Debate on Amendment on Second Reading [21st May] read 1099

Moved, "That the Order for the Second Reading be read and discharged,"—(*The O' Conor Don* :)—Motion *agreed to* :—Order *discharged* :—Bill *withdrawn.*

SOUTH AFRICA—THE ZULU WAR—VICTORY AT ULUNDI—Observation, Sir Michael Hicks-Beach 1099

PRIVILEGE (TOWER HIGH LEVEL BRIDGE (METROPOLIS) COMMITTEE)—Order for Attendance of Mr. Charles Edmund Grissell and Mr. John Sandilands Ward, read 1100

Moved, "That Charles Edmund Grissell having been ordered to attend the House this day, and having neglected to attend, be taken into the custody of the Serjeant at Arms attending this House; and that Mr. Speaker do issue his Warrants accordingly,"—(*Mr. Chancellor of the Exchequer.*)

After short debate, Question put, and *agreed to.*

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PRIVILEGE (TOWER HIGH LEVEL BRIDGE (METROPOLIS) COMMITTEE)—continued.

Then John Sandilands Ward was called in, and was addressed by Mr. Speaker, who said—"I have now to state on behalf of the House that the House is willing to hear what you have to say upon the matter."

John Sandilands Ward thereupon tendered an explanation of his conduct; and was then directed to withdraw.

Moved, "That John Sandilands Ward having been cognizant of, and having assisted Charles Edmund Grissell in, the matter of his offer to control the decision of the Committee on the Tower High Level Bridge (Metropolis) Bill, was guilty of a breach of the Privileges of this House,"—(*Mr. Chancellor of the Exchequer.*)

After short debate, Question put, and *agreed to.*

Moved, "That John Sandilands Ward be, for his said offence, committed to the custody of the Serjeant-at-Arms attending this House; and that Mr. Speaker do issue his warrant accordingly,"—(*Mr. Chancellor of the Exchequer.*)

After short debate, Question put, and *agreed to.*

The Entry in the Votes 1103

Public Works Loans Bill [Bill 70]—

Order for Second Reading read 1114

After debate, *Moved*, "That the Order of the Day for the Second Reading be discharged, in order that a new Bill be introduced,"—(*Mr. Chancellor of the Exchequer*:—Motion *agreed to*:)—Order *discharged*; Bill *withdrawn*; and leave given to present another Bill instead thereof.

Poor Law Amendment (No. 2) Bill [Bill 212]—

Order read, for resuming Adjourned Debate on Question [1st July], "That the Bill be now read a second time,"—(*Mr. Sclater-Booth*:)—Question again proposed:—Debate *resumed* 1120

After short debate, Question put, and *agreed to*:—Bill read a second time, and *committed* for *Friday*.

PRIVILEGE (TOWER HIGH LEVEL BRIDGE (METROPOLIS) COMMITTEE)—ARREST OF JOHN SANDILANDS WARD—

The Sergeant at Arms reported to the House, That he had taken into custody John Sandilands Ward, pursuant to the Order of the House this day 1122

Commissioners of Woods (Thames Piers) Bill [Bill 249]—

Moved, "That the Bill be now read a second time,"—(*Sir Henry Selwin-Ibbetson*) 1122

Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Local Courts of Bankruptcy (Ireland) Bill [*Lords*] [Bill 146]—

Moved, "That the Bill be now read a second time,"—(*Mr. Attorney General for Ireland*) 1123

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Meldon.*)

Question proposed, "That the word 'now' stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

SOUTH AFRICA—THE ZULU WAR—VICTORY AT ULUNDI—Observations, Colonel Stanley, Mr. Knatchbull-Hugessen; Question, Sir Arthur Hayter; Answer, Colonel Stanley 1137

Motion, by leave, *withdrawn*:—Committee *deferred* till *Friday*.

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Turnpike Acts Continuance Bill [Bill 239]—
Bill *considered* in Committee 1138
After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow.*

Public Health (Ireland) Act (1878) Amendment Bill—
Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. J. Lowther*) 1140
After short debate, Question put, and *agreed to*:—Bill *considered* in Committee.
After short time spent therein, Bill *reported;* as amended, to be considered *To-morrow.*

Parliamentary Franchise Bill [Bill 84]—
Moved, "That the Order for the Second Reading be read and discharged," —(*Mr. Elliot*) 1145
Motion *agreed to*:—Order read, and *discharged;* Bill *withdrawn.*

School Boards (Duration of Loans) Bill [Bill 219]—
Moved, "That the Bill be now read a second time,"—(*Mr. Pell*) .. 1146
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months,"—(*Mr. Chamberlain.*)
Question proposed, "That the word 'now' stand part of the Question:" —After short debate, *Moved,* "That the Debate be now adjourned,"— (*Mr. Dillwyn*):—After further short debate, it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

Parliamentary Reporting—Message from the Lords—
That they do *request,* that this House will be pleased to communicate to their Lordships, Copies of the Reports from the Select Committee appointed by this House in the present Session and in the last Session on Parliamentary Reporting, together with the Minutes of Evidence, &c.

Judicial Factors (Scotland) Bill—*Ordered* (*Mr. Ramsay, Mr. Baxter, Sir Graham Montgomery, Mr. Dalrymple*); *presented,* and read the first time [Bill 257] .. 1156

Municipal Elections (Ireland) Bill—*Ordered* (*Mr. James Lowther, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 256] 1157

LORDS, THURSDAY, JULY 24.

Artizans' and Labourers' Dwellings Act, 1875—Resolution—
Moved to resolve, "That in the opinion of this House no further improvements ought to be sanctioned under the Act until the principle on which compensation is awarded for property taken shall have been amended,"—(*The Earl of Camperdown*) .. 1157
After short debate, on Question? *Resolved* in the *Negative.*

The Income Tax — Agricultural Distress — Questions, The Earl of Stradbroke; Answers, The Duke of Richmond and Gordon .. 1167
The Income Tax—Education Rates—Question, Lord Stanley of Alderley; Answer, The Duke of Richmond and Gordon 1168

Parliamentary Reporting—
Reports from the Select Committee appointed by the House of Commons in the present and the last Sessions of Parliament, together with the Minutes of Evidence, &c.: Communicated (pursuant to message of Tuesday last), and ordered to lie on the Table 1168

COMMONS, THURSDAY, JULY 24.

QUESTIONS.

INDIA — THE MAHARAJAH DHULEEP SINGH—Questions, Mr. Fawcett; Answers, Mr. E. Stanhope 1169

HALL MARKING (GOLD AND SILVER)—Question, Mr. Hanbury; Answer, The Chancellor of the Exchequer 1169

GREENWICH AND MERCHANT SEAMEN'S HOSPITAL—Question, Mr. Fry; Answer, Viscount Sandon 1169

NAVY—BRITISH COLUMBIA—ESQUIMALT DOCK—Question, Colonel Arbuthnot; Answer, Mr. W. H. Smith 1170

COLONIAL NAVAL DEFENCE ACT, 1865—ROYAL COLONIAL NAVAL RESERVE MEN—Question, Colonel Arbuthnot; Answer, Sir Michael Hicks-Beach 1171

MERCHANT SEAMEN—LEGISLATION—Question, Mr. Burt; Answer, Viscount Sandon 1171

ARMY—SUPPLY OF WATER TO LANDGUARD FORT—Question, Mr. Bentinck; Answer, Colonel Stanley 1172

POOR LAW — PAUPER NURSES — Question, Mr. Rathbone; Answer, Mr. Sclater-Booth 1172

ARMY (ORDNANCE DEPARTMENT)—HEAVY RIFLED ORDNANCE—THOMAS v. THE QUEEN — Questions, Colonel Colthurst, Sir Henry Havelock; Answers, Lord Eustace Cecil 1173

IRELAND—ORANGE CELEBRATION DINNER IN GOREY—Question, Mr. O'Clery; Answer, Mr. J. Lowther 1173

ARMY—ARMY OFFICERS AS WAR CORRESPONDENTS—Questions, Sir George Campbell; Answer, Mr. E. Stanhope 1174

THE LATE PRINCE IMPERIAL—MONUMENT IN WESTMINSTER ABBEY—Questions, Mr. Price, Mr. E. Jenkins, Mr. Callan; Answers, Colonel Stanley, The Chancellor of the Exchequer 1175

THE LATE PRINCE IMPERIAL—THE COURT MARTIAL ON LIEUTENANT CAREY —Question, Sir Robert Peel; Answer, Colonel Stanley .. 1177

RAILWAY BRAKES—Question, Mr. Macdonald; Answer, Viscount Sandon 1177

COMMISSION ON AGRICULTURAL DISTRESS — NAMES OF COMMISSIONERS — Question, Mr. Newdegate; Answer, The Chancellor of the Exchequer 1178

NAVIGATION OF THE THAMES—REPORT OF COMMISSIONERS — Question, Mr. Gourley; Answer, Viscount Sandon 1178

GREENWICH AND MERCHANT SEAMEN'S HOSPITAL—Question, Mr. Gourley; Answer, Mr. W. H. Smith 1179

PARLIAMENT—ARRANGEMENT OF PUBLIC BUSINESS—Questions, Mr. Heygate, Mr. Mundella, Mr. Anderson, Mr. W. E. Forster, Mr. Beresford Hope, Sir Alexander Gordon; Answers, The Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson 1180

TREATY OF BERLIN—THE RUSSIANS IN EASTERN ROUMELIA — Question, Mr. J. R. Yorke; Answer, Mr. Bourke 1181

ORDERS OF THE DAY.

University Education (Ireland) (No. 2) Bill [*Lords*] [Bill 250]—*Moved*, "That the Bill be now read a second time,"—(*Mr. J. Lowther*) .. 1182

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no measure of University Education can be considered satisfactory to the people of Ireland which does not provide increased facilities for Collegiate Education as well as for the attainment of University Degrees,"—(*Mr. Shaw*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Question put:—The House *divided;* Ayes 257, Noes 90; Majority 167.—(Div. List, No. 192.)

University Education (Ireland) (No. 2) Bill—continued.

Main Question proposed, "That the Bill be now read a second time:"—After short debate, *Moved*, "That the Debate be now adjourned,"—(*Sir Wilfrid Lawson*:)—After further short debate, Question put:—The House *divided*; Ayes 28, Noes 260; Majority 232.—(Div. List, No. 193.)

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday* next.

PUBLIC WORKS LOANS [ADVANCES, &c.]—

Considered in Committee 1273

After short debate, (1.) *Resolved*, That it is expedient to authorise further Advances out of the Consolidated Fund of the United Kingdom, or out of moneys in the hands of the National Debt Commissioners held on account of Savings Banks, or Post Office Savings Banks, of any sum or sums of money not exceeding £6,000,000 in the whole, to enable the Public Works Loan Commissioners, and not exceeding £850,000 in the whole, to enable the Commissioners of Public Works in Ireland to make Advances in promotion of Public Works.

(2.) *Resolved*, That it is expedient to amend the Public Works Loans Acts.

Resolutions to be reported *To-morrow*, at Two of the clock.

Occupation Roads Bill [Bill 241]—

Moved, "That the Bill be now read a second time,"—(*Mr. Pell*) .. 1275

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Thursday* next.

Metropolitan Board of Works (Money) Bill—

Motion for Leave (*Sir Henry Selwin-Ibbetson*) 1276

After short debate, First Reading *deferred* till *To-morrow*, at Two of the clock.

PARLIAMENTARY REPORTING—

Lords Message [23rd July] *considered*:—Printed Copy to be communicated 1277

Registry Courts (Ireland) (Practice) Bill—*Ordered* (*Mr. Callan, Sir Joseph M'Kenna, Mr. Fay*); *presented*, and read the first time [Bill 259] 1277

LORDS, FRIDAY, JULY 25.

ARMY ORGANIZATION—SHORT SERVICE—THE ZULU CAMPAIGN—Observations, Lord Strathnairn:—Short debate thereon 1277

INDIA—CRIMINAL LAW—USE OF TORTURE — Question, Lord Stanley of Alderley; Answer, Viscount Cranbrook 1290

COMMONS, FRIDAY, JULY 25.

PRIVATE BUSINESS.

Thames River (Prevention of Floods) Bill (by Order)—

Order for Consideration of Lords' Amendments, read 1291

After short debate, Lords' Amendments *agreed to.*

QUESTIONS.

THE LATE PRINCE IMPERIAL—Question, Sir Frederick Perkins; Answer, Colonel Loyd Lindsay 1297

SOUTH AFRICA — GRIQUALAND EAST—THE IMPRISONED GRIQUAS—Question, Mr. W. H. James; Answer, Sir Michael Hicks-Beach .. 1297

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GAME LAWS AMENDMENT (SCOTLAND) BILL — Question, Sir David Wedderburn; Answer, The Lord Advocate 1298

PARLIAMENT—PUBLIC BUSINESS—Question, Mr. Childers; Answer, The Chancellor of the Exchequer 1298

PUBLIC WORKS LOANS BILL—Question, Mr. Rylands; Answer, The Chancellor of the Exchequer 1299

EGYPTIAN AFFAIRS—Questions, Sir Julian Goldsmid, Mr. Goschen; Answers, The Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson 1300

ORDERS OF THE DAY.

East India Loan (Consolidated Fund) Bill [Bill 201]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) 1301

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "considering that it has been officially stated that the Afghan War was undertaken in the interests of England and India jointly, this House is of opinion that it is unjust to make India pay towards the expenses of that war more than seven times as much as will be contributed by England,"—(*Mr. Fawcett,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 137, Noes 125; Majority 12.—(Div. List, No. 194.)

Main Question put, and *agreed to:*—Bill read a second time, and *committed* for *Monday* next.

East India Loan (£5,000,000) Bill [Bill 197]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. E. Stanhope*) 1334

After short debate, it being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

CRIMINAL LAW—THE CASE OF EDMUND GALLEY—MOTION FOR AN ADDRESS—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the innocence of Edmund Galley of the crime of which he was convicted at Exeter in 1836 has been established beyond all reasonable doubts; and that an humble Address be presented to Her Majesty, praying Her Majesty graciously to grant a free pardon to Edmund Galley,"—(*Sir Eardley Wilmot,*)—instead thereof 1335

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment, by leave, *withdrawn.*

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying Her Majesty that she will be graciously pleased to grant a free pardon to Edmund Galley,"—(*Sir Eardley Wilmot,*)—instead thereof 1368

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *negatived.*

Words *added:*—Main Question, as amended, put, and *agreed to.*

To be presented by Privy Councillors.

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SUPPLY—COMMITTEE—Observations, Sir Henry Selwin-Ibbetson .. 1372

IRELAND—REPORTED APPEARANCE OF THE COLORADO BEETLE—Question, Major Nolan; Answer, Mr. J. Lowther 1372

Moved, "That this House will immediately resolve itself into the Committee of Supply,"—(*Mr. Chancellor of the Exchequer.*)

AGRICULTURAL DEPRESSION (IRELAND)—Observations, Mr. O'Donnell, Mr. P. Martin 1372

Question put, and *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.

(In the Committee.)

CLASS VI.—SUPERANNUATION AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES.

(1.) £22,150, to complete the sum for Merchant Seamen's Fund, Pensions, &c.
(2.) £23,100, to complete the sum for Relief of Distressed British Seamen Abroad.
(3.) £395,000, Pauper Lunatics, England.—After short debate, Vote *agreed to* .. 1376
(4.) £71,760, Pauper Lunatics, Scotland.—After short debate, Vote *agreed to* .. 1379
(5.) £22,095, to complete the sum for Pauper Lunatics, Ireland.—After short debate, Vote *agreed to* 1379

Resolutions to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £11,647, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the support of certain Hospitals and Infirmaries in Ireland" .. 1380
After short debate, *Moved*, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Biggar*:)—After further short debate, Motion, by leave, *withdrawn.*
Original Question, by leave, *withdrawn.*
Motion made, and Question proposed, "That a sum, not exceeding £123,944, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, to make good the sum by which the interest accrued in the year ended 20th November 1878, from Securities held by the Commissioners for the Reduction of the National Debt, on account of 'The Fund for the Banks for Saving' and 'The Fund for Friendly Societies,' is insufficient to meet the interest which the said Commissioners are obliged by Statute to pay and credit, during such latter mentioned year to the trustees of Savings Banks, and to Friendly Societies respectively" 1388
After short debate, *Moved*, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir Henry Selwin-Ibbetson*:)—After further short debate, Question put:—The Committee *divided*; Ayes 6, Noes 40; Majority 34.—(Div. List, No. 195.)
Original Question again proposed 1393
After short debate, *Moved*, "That the Chairman do now leave the Chair,"—(*Major O'Gorman*:)—After further short debate, Motion, by leave, *withdrawn.*
Original Question, by leave, *withdrawn.*

Resolutions to be reported upon *Monday* next; Committee also report Progress; to sit again upon *Monday* next.

Public Works Loans (No. 2) Bill—Resolutions [July 24] *reported*, and *agreed to*:—Bill *ordered* (*Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson*); *presented*, and read the first time [Bill 260] 1396

Shipping Casualties Investigations Re-hearing Bill—*Ordered* (*Viscount Sandon, Mr. J. G. Talbot*); *presented*, and read the first time [Bill 262] 1396

LORDS, MONDAY, JULY 28.

ISLAND OF CYPRUS — SLAVERY — Question, Observations, The Earl of Shaftesbury; Reply, The Marquess of Salisbury 1397

Industrial Schools (Powers of School Boards) Bill (No. 153)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Steward*) .. 1400
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

INDIA—CORPORAL PUNISHMENT IN INDIAN GAOLS — Observations, Lord Stanley of Alderley; Reply, Viscount Cranbrook 1401

COMMONS, MONDAY, JULY 28.

QUESTIONS.

RUSSIA—TREATMENT OF RUSSIAN CONVICTS—DEPORTATION TO SAGHALIEN—Questions, Mr. J. Cowen, Mr. Mundella; Answers, Mr. Bourke .. 1403

NAVY—MARINE OFFICERS—Question, Mr. Anderson; Answer, Mr. W. H. Smith 1405

NOXIOUS GASES BILL—Question, Mr. Lowthian Bell; Answer, Mr. Sclater-Booth 1406

DRAINAGE (IRELAND)—THE MULCAIRE DRAINAGE SCHEME—Question, Mr. O'Shaughnessy; Answer, Sir Henry Selwin-Ibbetson 1406

BUILDING SOCIETIES ACTS — BORROWING POWERS — Question, Mr. Isaac; Answer, The Attorney General 1406

EXHIBITION COMMISSIONERS OF 1851 *v.* THE ROYAL HORTICULTURAL SOCIETY —Question, Sir Trevor Lawrence; Answer, The Chancellor of the Exchequer 1407

INDIA—THE NORTH-WEST FRONTIER—THE ASSIGNED DISTRICTS—Questions, Sir Alexander Gordon; Answers, Mr. E. Stanhope 1407

INDIA—THE MAHARAJAH DHULEEP SINGH—Questions, Mr. Fawcett; Answers, Mr. E. Stanhope 1408

LAW AND JUSTICE—CIVIL ASSIZES AT MANCHESTER AND LIVERPOOL—Questions, Mr. Rathbone; Answers, Mr. Assheton Cross 1409

CYPRUS—ADMINISTRATION OF THE ISLAND—CIVIL POLICE FORCE — Questions, Mr. Shaw Lefevre, Mr. Dodson; Answers, Mr. Bourke .. 1411

CRIME (IRELAND)—CONSTABULARY EXPENSES—Questions, Mr. French, Mr. Callan; Answers, Mr. J. Lowther 1412

DOMINION OF CANADA — SUPERSESSION OF M. LETELLIER DE ST. JUST — Question, Mr. E. Jenkins; Answer, Sir Michael Hicks-Beach .. 1413

ARMY—ORDNANCE DEPARTMENT — CLAIM OF MR. LYNALL THOMAS—Question, Sir Henry Havelock; Answer, Lord Eustace Cecil .. 1413

NAVY—FLOGGING IN THE NAVY—Question, Mr. Anderson; Answer, Mr. W. H. Smith 1414

PARLIAMENT—BUSINESS OF THE HOUSE — Questions, Mr. Dillwyn, Mr. Childers; Answers, The Chancellor of the Exchequer 1415

PRIVILEGE (TOWER HIGH LEVEL BRIDGE (METROPOLIS) COMMITTEE)—
The *Sergeant at Arms,* on being called upon by Mr. Speaker to inform the House what course he had taken in order to serve Mr. Speaker's Warrant upon Charles Edmund Grissell, reported as follows:—
That, on receiving Mr. Speaker's Warrant to take into my custody Charles Edmund Grissell, I sent a Messenger of the House to Boulogne-sur-Mer to obtain information respecting him. The Messenger has returned and reported to me that he has seen Mr. Grissell, who is still at Boulogne-sur-Mer, beyond the jurisdiction of this House, and residing at the Hotel Bordeaux under the name of Graham,

ORDERS OF THE DAY.

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES [*Progress.*]
(In the Committee.)

CLASS IV.—EDUCATION, SCIENCE, AND ART.

Motion made, and Question proposed, "That a sum, not exceeding £5,034, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Expenses of the Queen's University in Ireland" 1416
After short debate, Motion, by leave, *withdrawn.*

CLASS I.—PUBLIC WORKS AND BUILDINGS.

(1.) £110,644, to complete the sum for Public Buildings, Ireland.

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(2.) £22,340, to complete the sum for the Chief Secretary for Ireland Offices.
(3.) £1,522, to complete the sum for the Charitable Donations and Bequests Office, Ireland.
(4.) Motion made, and Question proposed, "That a sum, not exceeding £95,826, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Local Government Board in Ireland, including various Grants in Aid of Local Taxation" 1419
After debate, Motion made, and Question proposed, "That the Item of £4,200, for Salaries of Inspectors, be reduced by £700,"—(*Mr. O'Donnell:*)—After further short debate, Question put:—The Committee *divided;* Ayes 8, Noes 141; Majority 133.—(Div. List, No. 196.)
After further short debate, Original Question put, and *agreed to.*
(5.) Motion made, and Question proposed, "That a sum, not exceeding £23,007, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Office of Public Works in Ireland" 1445
Motion made, and Question proposed, "That a sum, not exceeding £21,507, be granted, &c.,"—(*Mr. Mitchell Henry:*)—After debate, Motion, by leave, *withdrawn.*
Original Question put, and *agreed to.*
(6.) £4,425, to complete the sum for the Record Office, Ireland, *agreed to.*

CLASS III.—LAW AND JUSTICE.

(7.) £65,521, to complete the sum for Law Charges, Ireland.—After short debate, Vote *agreed to* 1471
(8.) Motion made, and Question proposed, "That a sum, not exceeding £20,677, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for such of the Salaries and Expenses of the Queen's Bench, Common Pleas, and Exchequer Divisions of Her Majesty's High Court of Justice in Ireland as are not charged on the Consolidated Fund; including provision for certain Officers of the Supreme Court of Judicature in Ireland, and for the Trial of Election Petitions" 1476
Motion made, and Question proposed, "That a sum, not exceeding £20,457, be granted, &c.,"—(*Mr. O'Donnell:*)—After debate, Question put:—The Committee *divided;* Ayes 26, Noes 182; Majority 156.—(Div. List, No. 197.)
Original Question put, and *agreed to.*
(9.) Motion made, and Question proposed, "That a sum, not exceeding £111,661, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Expense of the Superintendence of Prisons, and of the Maintenance of Prisoners in Prisons in Ireland, and of the Registration of Habitual Criminals" 1500
Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Parnell:*)—After short debate, Motion, by leave, *withdrawn.*
After further debate, Original Question put, and *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

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East India Loan (Consolidated Fund) Bill [Bill 201]—
Order for Committee read 1512
After short debate, Bill *considered* in Committee.
After short time spent therein, Bill *reported;* as amended, to be considered upon *Wednesday.*

LOCAL COURTS OF BANKRUPTCY (IRELAND) [SALARIES, &c.]—
Considered in Committee 1516
(In the Committee.)
Moved, "That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of salaries and pensions of officers, and of compensation to them for loss of emoluments; also in the event of the Honourable Stearn Ball Miller becoming the remaining Judge of the Court of Bankruptcy, of the payment to him of additional salary in consideration of additional duties which may be imposed upon him under the provisions of any Act of the present Session for the establishment of Local Courts of Bankruptcy in Ireland."
After short debate, Resolution *agreed to;* to be reported *To-morrow.*

NATIONAL SCHOOL TEACHERS (IRELAND) [REPAYMENT OF ADVANCES]—
Considered in Committee 1517
(In the Committee.)
Moved, "That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, of any deficiency in the Pension Fund which may arise in the repayment to the Commissioners for the Reduction of the National Debt of any Advances made by them for the purposes of any Act of the present Session for improving the position of the Teachers of National Schools in Ireland" .. 1517
Committee report Progress; to sit again *To-morrow.*

Shipping Casualties Investigations Re-hearing Bill [Bill 262]
Moved, "That the Bill be now read a second time,"—(*Viscount Sandon*) 1519
Motion *agreed to:*—Bill read a second time, and *committed* for *Thursday.*

Boundary Commission (England and Wales) Bill—*Ordered* (*Lord Edmond Fitzmaurice, Mr. Pell, Mr. Clare Read, Mr. Backhouse*); *presented,* and read the first time [Bill 263] 1520

LORDS, TUESDAY, JULY 29.

CANAL BOATS ACT, 1877 — Question, Observations, The Archbishop of Canterbury; Reply, The Duke of Richmond and Gordon .. 1520

THE NAVAL AND MILITARY FORCES—CORPORAL PUNISHMENT—ADDRESS FOR A RETURN—
Moved, "That an humble Address be presented to Her Majesty for Return of the number of persons in Her Majesty's Naval and Military forces who have been punished by flogging during the five years ending the 31st of December, 1878; the Return to state the number of lashes in each case and the crime for which the punishment was inflicted,"—(*The Duke of Buccleuch*) 1522
Motion amended, by substituting "ten" years for "five;" Motion, as amended, *agreed to.*

COMMONS, TUESDAY, JULY 29.

QUESTIONS.

SOUTH AFRICA—THE ZULU WAR—INCIDENCE OF EXPENSES—Question, Mr. Fawcett; Answer, The Chancellor of the Exchequer 1523
NAVY—THE ROYAL MARINES—SERGEANTS — Question, Mr. Knatchbull-Hugessen; Answer, Mr. W. H. Smith 1524

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University Education (Ireland) (No. 2) Bill — 10 Geo. IV. Cap. 7— Question, Mr. P. J. Smyth; Answer, The Attorney General for Ireland 1524
Merchant Shipping Act—Passenger Steamers—Question, Sir William Fraser; Answer, Mr. J. G. Talbot 1525
Vaccination Prosecutions—Dewsbury Union — Question, Mr. Serjeant Simon; Answer, Mr. Sclater-Booth 1526
India — The Civil Service—Question, Mr. Plunket; Answer, Mr. E. Stanhope 1527
Gas Companies and the Electric Lighting — Report of Select Committee—Question, Mr. Chadwick; Answer, Mr. Raikes .. 1527
Education (Scotland)—The Abbey Parish Board, Paisley, and School Fees—Question, Mr. Biggar; Answer, The Lord Advocate .. 1528
Cyprus—The Papers, No. 4—Question, Sir Charles W. Dilke; Answer, Mr. Bourke 1529
Privilege—Omission from the Votes and Proceedings of the House—Observations, Mr. Callan:—Short debate thereon 1529
South Africa—The Zulu War—Newspaper Correspondents—Question, Sir Wilfrid Lawson; Answer, Colonel Stanley 1534
Agricultural Distress—The Royal Commission — Questions, Mr. E. Jenkins; Answer, The Chancellor of the Exchequer 1534
Parliament—Business of the House — Questions, Mr. Childers, Mr. W. E. Forster, The O'Donoghue, Mr. Rylands, Mr. Price; Answers, The Chancellor of the Exchequer, Mr. W. H. Smith 1535

Privilege (Tower High Level Bridge (Metropolis) Committee) — Petition from Mr. John Sandilands Ward—

Moved, "That the Petition be printed and taken into consideration to-morrow, immediately after the assembling of the House,"—(*Mr. Spencer Walpole*) 1536

Motion *agreed to*:—Petition to lie upon the Table, and to be *printed*. [App. 1.]

Petition to be taken into consideration *To-morrow*.

ORDERS OF THE DAY.

Banking and Joint Stock Companies Bill [Bill 126]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [22nd July]:—Question again proposed:—Debate *resumed* 1537

After debate, Question put, and *agreed to*:—Main Question put, and *agreed to*.

Bill read a second time, and *committed; considered* in Committee and *reported;* to be *printed*, as amended [Bill 264]; *re-committed* for *Thursday*.

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Cyprus — Administration of the Island—Civil Police Force — Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to grant a sum of £26,000 for the Cyprus Police until a report from the authorities of the Island, showing the necessity for such expenditure, and a full statement of the finances of the Island, be laid before the House,"—(*Mr. Shaw Lefevre*,)—instead thereof 1563

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 99, Noes 72; Majority 27.—(Div. List, No. 198.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

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SUPPLY—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed, "That a sum, not exceeding £154,995, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Expenses of Her Majesty's Embassies and Missions Abroad" 1584
Motion, by leave, *withdrawn.*
(1.) £2,500,000, Exchequer Bonds *agreed to.*

Civil Service Estimates—Class V.—Colonial, Consular, and other Foreign Services.

(2.) £154,995, to complete the sum for Diplomatic Services.—After short debate, Vote *agreed to* 1585
(3.) £184,597, to complete the sum for Consular Services.—After short debate, Vote *agreed to* 1589
(4.) £32,401, to complete the sums for the Colonies, Grants in Aid.—After short debate, Vote *agreed to* 1592
(5.) £1,770, to complete the sum for the Orange River Territory and St. Helena (Non-Effective Charges).
(6.) £1,120, to complete the sum for Suez Canal.—After short debate, Vote *agreed to* 1594
(7.) £5,492, to complete the sum for the Suppression of the Slave Trade.—After short debate, Vote *agreed to* 1601
(8.) Motion made, and Question proposed, "That a sum, not exceeding £10,247, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for Tonnage Bounties, Bounties on Slaves, Costs of Captors, &c., and Expenses of the Liberated African Department" 1602
Motion made, and Question proposed, "That a sum, not exceeding £5,247, be granted, &c.,"—(*Mr. Gourley* :)—After short debate, Motion, by leave, *withdrawn.*
After further short debate, Original Question put, and *agreed to.*

Class VI.—Superannuation and Retired Allowances, and Gratuities for Charitable and other Purposes.

(9.) £11,647, to complete the sum for Hospitals and Infirmaries, Ireland.—After short debate, Vote *agreed to* 1605
(10.) £123,944, Savings Banks and Friendly Societies Deficiency.—After short debate, Vote *agreed to* 1612
(11.) £2,544, to complete the sum for Miscellaneous Charitable and other Allowances, Great Britain.—After short debate, Vote *agreed to* 1612
(12.) £2,802, to complete the sum for Miscellaneous Charitable and other Allowances, Ireland.—After short debate, Vote *agreed to* 1614

Class VII.—Miscellaneous, Special, and Temporary Objects.

(13.) £19,076, to complete the sum for Temporary Commissions.
(14.) £5,086, to complete the sum for Miscellaneous Expenses.

Revenue Departments.

(15.) £806,258, to complete the sum for Customs.
(16.) £1,582,125, to complete the sum for Inland Revenue.—After short debate, Vote *agreed to* 1615
Motion made, and Question proposed, "That a sum, not exceeding £2,806,825, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Post Office Services, the Expenses of Post Office Savings Banks, and Government Annuities and Insurances, and the Collection of the Post Office Revenue" 1615
Motion made, and Question proposed, "That a sum, not exceeding £2,806,725, be granted, &c.,"—(*Mr. Gray* :)—After short debate, Motion, by leave, *withdrawn.*
Original Question again proposed 1623
Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Courtney* :)—After short debate, Motion, by leave, *withdrawn.*
Original Motion, by leave, *withdrawn.*
(17.) £574,725, to complete the sum for Post Office Packet Service.
(18.) Motion made, and Question proposed, "That a sum, not exceeding £834,528, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Working Expenses of the Post Office Telegraph Service" 1624

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SUPPLY—REVENUE DEPARTMENTS—Committee—*continued.*

Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Major O'Beirne* :)—After short debate, Motion, by leave, *withdrawn.*
Original Question put, and *agreed to.*

CIVIL SERVICES.—CLASS IV.—EDUCATION, SCIENCE, AND ART.

(19.) £490, to complete the sum for Endowed Schools Commissioners, Ireland.
(20.) £1,739, to complete the sum for the National Gallery of Ireland.
(21.) £1,500, to complete the sum for the Royal Irish Academy.

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

SUPPLY—REPORT—Resolutions [28th July] *reported.*
First Resolution *agreed to.*
Second Resolution *postponed.*
Six following Resolutions *agreed to.*
Ninth Resolution *postponed.*
Postponed Resolutions to be taken into Consideration upon *Thursday.*

Municipal Elections (Ireland) Bill [Bill 256]—
Bill *considered* in Committee 1627
Bill *reported,* without Amendment; to be read the third time *To-morrow.*

NATIONAL SCHOOL TEACHERS (IRELAND) [REPAYMENT OF ADVANCES]—
Resolution [July 28] *agreed to;* to be reported *To-morrow* .. 1628

MOTIONS.

Copyright (No. 2) Bill—
Acts read; *considered* in Committee.

(In the Committee.)

Moved, "That the Chairman be directed to move the House, that leave be given to bring in a Bill to consolidate and amend the Law relating to Copyright,"—(*Lord John Manners*) 1629
Motion *agreed to* :—Resolution *reported* :—Bill *ordered* (*Lord John Manners, Viscount Sandon, Mr. Attorney General*); *presented,* and read the first time [Bill 265.]

Irish Church Act (1869) Amendment Bill—
Motion for Leave (*Mr. Plunket*) 1629
After short debate, Motion *agreed to* :—Bill to amend "The Irish Church Act, 1869," and to provide further compensation to certain persons, being Priests and Deacons of the late Established Church of Ireland, *ordered* (*Mr. David Plunket, Sir Arthur Guinness, Mr. Maurice Brooks, Mr. Ewart, Mr. Kavanagh*); *presented,* and read the first time [Bill 269.]

UNIVERSITY EDUCATION (IRELAND) (No. 2) [FELLOWSHIPS, &c. PENSIONS, &c.]—
Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the charge for the creation of Exhibitions, Scholarships, Fellowships, and other prizes, and of the erection of suitable buildings in connection with the University; also of retiring Pensions to any officers of the Queen's University who may be deprived of their office under the provisions of any Act of the present Session to promote the advancement of learning, and to extend the benefits connected with University Education in Ireland.
Resolution to be reported *To-morrow.*

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Public Offices (Fees) Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*) ; *presented*, and read the first time [Bill 266] 1631

Lough Erne and River (Continuance) Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Mr. James Lowther*) ; *presented*, and read the first time [Bill 267] 1632

Metropolitan Board of Works (Money) Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*) ; *presented*, and read the first time [Bill 268] .. 1632

COMMONS, WEDNESDAY, JULY 30.

ORDERS OF THE DAY.

PRIVILEGE (TOWER HIGH LEVEL BRIDGE (METROPOLIS) COMMITTEE)—PETITION OF JOHN SANDILANDS WARD—

Petition considered 1632

Moved, "That John Sandilands Ward, having entirely submitted himself to this House, and expressed his sorrow and regret for his offence, and having already suffered in his health, be discharged out of the custody of the Serjeant at Arms, on payment of his fees,"—(*Mr. Chancellor of the Exchequer.*)

After short debate, Motion *agreed to.*

SUPPLY—Order for Committee read ; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair :"—

EDUCATION CODE—ELEMENTARY SCIENCE—RESOLUTION—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it would be desirable to modify the Code of Education by adding Elementary Science to the subjects mentioned in Article 19, c. 1,"—(*Sir John Lubbock*,)—instead thereof 1639

Question proposed, "That the words proposed to be left out stand part of the Question :"—After debate, Question put :—The House *divided ;* Ayes 80, Noes 48 ; Majority 32.—(Div. List, No. 199.)

NATURAL HISTORY MUSEUM, SOUTH KENSINGTON—Observations, Mr. E. Jenkins :—Short debate thereon 1655

SCOTCH SOCIETY FOR PROMOTING CHRISTIAN KNOWLEDGE—Observations, Mr. M'Laren ; Reply, The Lord Advocate :—Short debate thereon .. 1661

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES—

(In the Committee.)

CLASS IV.—EDUCATION, SCIENCE, AND ART.

£1,521,168, to complete the sum for Education, England and Wales.—After debate, Vote *agreed to* 1672

Resolution to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £266,766, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for Public Education in Scotland" 1693

Resolution to be reported *To-morrow ;* Committee also report Progress ; to sit again *To-morrow.*

SUPPLY—REPORT—Resolutions [29th July] *reported* 1693

After short debate, Resolutions *agreed to.*

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MOTIONS.

Tipperary Boroughs Bill—*Ordered* (*Mr. Arthur Moore, Mr. Gray, Mr. Meldon, Mr. O'Shaughnessy*); *presented,* and read the first time [Bill 271] 1694

Endowed Schools Acts Continuance Bill—*Ordered* (*Lord George Hamilton, Mr. Chancellor of the Exchequer*); *presented,* and read the first time [Bill 272] .. 1694

Regulation of Railways Acts Continuance Bill—*Ordered* (*Viscount Sandon, Mr. J. G. Talbot*); *presented,* and read the first time [Bill 270] 1694

LORDS, THURSDAY, JULY 31.

THE LUNACY LAWS—LEGISLATION—Question, Lord Aberdare; Answer, The Lord Chancellor 1695

Workmen's Compensation Bill (No. 7)—
Adjourned Debate on Motion for Second Reading resumed (according to Order) 1695
After short debate, Motion and Bill (by leave of the House) *withdrawn.*

Summary Jurisdiction Bill (No. 162)—
Amendments *reported* (according to Order) 1698
Further Amendments made; and Bill to be read 3ª *To-morrow.*

Border Summons Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 170) .. 1699

Industrial Schools (Powers of School Boards) Bill (No. 135)—
Order of the Day for the House to be put into Committee, read .. 1699
After short debate, House in Committee.
Further Amendments made; the Report thereof to be received *To-morrow.*

Companies Acts Amendment Bill (No. 71)—
Order of the Day for the House to be put into Committee, read .. 1700
Moved, "That the Order be discharged,"—(*The Lord Aberdare:*)—
Motion *agreed to;* Order *discharged.*

RAILWAY RETURNS (CONTINUOUS BRAKES) ACT, 1878—Questions, Observations, Earl De La Warr; Reply, Lord Henniker 1700

TREATY OF BERLIN—EASTERN ROUMELIA—THE EVACUATION—Question, Earl Stanhope; Answer, The Marquess of Salisbury 1701

COMMONS, THURSDAY, JULY 31.

QUESTIONS.

PARLIAMENTARY REPRESENTATION—REPRESENTATION OF SCOTLAND — Question, Mr. M'Laren; Answer, The Chancellor of the Exchequer .. 1702

MINISTER OF COMMERCE AND AGRICULTURE—Question, Mr. W. Holms; Answer, The Chancellor of the Exchequer 1703

EDUCATIONAL ENDOWMENTS (METROPOLIS)—Questions, Mr. E. Jenkins, Mr. A. Mills; Answers, Mr. Speaker, Lord George Hamilton .. 1703

THE SCIENCE OF AGRICULTURE — MR. BUCKMASTER — Question, Mr. E. Hubbard; Answer, Lord George Hamilton 1704

NAVY — PUNISHMENT OF A SEAMAN AT SHEERNESS — Question, Mr. Macdonald; Answer, Mr. W. H. Smith 1704

INDIA—BANDA AND KIRWEE PRIZE MONEY—Question, Mr. M. Brooks; Answer, Mr. E. Stanhope 1705

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METROPOLIS—PAROCHIAL CHARITIES OF THE CITY OF LONDON—REPORT OF THE COMMISSIONERS — Question, Mr. W. H. James; Answers, Mr. Assheton Cross, Mr. Arthur Peel 1706
ARMY—ARMY COMMISSIONS—THE ROYAL MILITARY COLLEGE, KINGSTON, CANADA—Question, Colonel Arbuthnot; Answer, Sir Michael Hicks-Beach 1706
ARMY—THE AUXILIARY FORCES—YEOMANRY AND VOLUNTEER ADJUTANTS—Question, Mr. Dalrymple; Answer, Colonel Loyd Lindsay .. 1707
ARTIZANS' AND LABOURERS' DWELLINGS ACT — Question, Mr. Fawcett; Answer, Sir James M'Garel-Hogg 1708
AGRICULTURAL DISTRESS—THE ROYAL COMMISSION—Question, Mr. W. E. Forster; Answer, The Chancellor of the Exchequer 1709
NAVY—FLOGGING IN THE NAVY—Questions, Mr. Anderson; Answers, Mr. W. H. Smith 1709
POST OFFICE TELEGRAPH CLERKS (DUBLIN)—Question, Mr. M. Brooks; Answer, Lord John Manners 1710
NAVY—BRITISH COLUMBIA — THE ESQUIMALT DOCK—Questions, Colonel Arbuthnot, Mr. Childers; Answers, Mr. W. H. Smith .. 1711
BANKING AND JOINT STOCK COMPANIES BILL—Questions, Mr. Muntz, Sir Joseph M'Kenna; Answers, The Chancellor of the Exchequer .. 1711
PARLIAMENT—BUSINESS OF THE HOUSE—Questions, Sir George Campbell, Mr. W. E. Forster, Mr. Newdegate, Mr. M. Brooks, Sir Joseph M'Kenna; Answers, The Chancellor of the Exchequer .. 1712

ORDERS OF THE DAY.

WAYS AND MEANS—Order for Committee read:—

SOUTH AFRICA—ESTIMATE OF EXPENDITURE—Ministerial Statement, The Chancellor of the Exchequer 1713

Moved, "That Mr. Speaker do now leave the Chair,"—(*Mr. Chancellor of the Exchequer.*)

THE INDIAN MUSEUM—RESOLUTION—Amendment proposed,
To leave out from the word "That" to the end of the Question, in order to add the words "having regard alike to the traditions of our rule in India and to the expediency of establishing, at an early period, by the joint action of the Mother Country, its Colonies, and Dependencies, an institution in which the productions of all those Colonies and Dependencies should be adequately represented, it is undesirable that the Indian Museum, collected at great cost by the East India Company, and taken over by the Crown, should now be broken up and distributed,"—(*Mr. Grant Duff*,)—instead thereof 1722

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn*.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

WAYS AND MEANS—*considered* in Committee.

(In the Committee.)

(1.) *Resolved*, That, towards raising the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorized to raise any sum, not exceeding £3,000,000, by an issue of Exchequer Bonds, Exchequer Bills, or Treasury Bills.

(2.) *Resolved*, That the principal of all Exchequer Bonds which may be so issued shall be paid off at par, at the expiration of any period not exceeding three years from the date of such Bonds.

(3.) *Resolved*, That the interest of all such Exchequer Bonds shall be paid half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

Resolutions to be reported *To-morrow*, at Two of the clock; Committee to sit again *To-morrow*, at Two of the clock.

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SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

NAVY—PROFESSIONAL OFFICERS IN THE DOCKYARDS—Observations, Mr. T. Brassey 1747

PENSIONS TO WIDOWS AND ORPHANS OF SEAMEN AND MARINES—Observations, Captain Price:—Debate thereon 1755

THE COASTGUARD—Observations, Captain Pim; Replies, Mr. A. F. Egerton, Mr. W. H. Smith 1769

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

SUPPLY—*considered* in Committee—NAVY ESTIMATES—

(In the Committee.)

(1.) £1,003,375, Victuals and Clothing for Seamen and Marines.—After short debate, Vote *agreed to* 17

(2.) Motion made, and Question proposed, "That a sum, not exceeding £185,400, be granted to Her Majesty, to defray the Expenses of the Admiralty Office, which will come in course of payment during the year ending on the 31st day of March 1880" 1770

Motion made, and Question proposed, "That a sum, not exceeding £184,200, be granted, &c.,"—(*Mr. Biggar*:)—After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 1776

After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Macdonald*:)—After further short debate, Question put:—The Committee *divided;* Ayes 10, Noes 161; Majority 151.—(Div. List, No. 200.)

After further short debate, Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed, "That a sum, not exceeding £193,870, be granted to Her Majesty, to defray the Expenses of the Coast Guard Service, Royal Naval Reserve, and Seamen and Marine Pensioners Reserve, and Royal Naval Artillery Volunteers, which will come in course of payment during the year ending on the 31st day of March 1880" 1786

Motion made, and Question proposed, "That a sum, not exceeding £54,870, be granted, &c.,"—(*Captain Pim*:)—After short debate, Question put, and *negatived.*

Original Question again proposed:—After further short debate, Original Question put, and *agreed to.*

(4.) £105,576 (Scientific Branch).—After short debate, Vote *agreed to* .. 1788

(5.) Motion made, and Question proposed, "That a sum, not exceeding £1,355,000, be granted to Her Majesty, to defray the Expenses of the Dockyards and Naval Yards at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1880" 1797

After debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Arthur Moore*:)—After further short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(6.) £76,570, Victualling Yards at Home and Abroad.
(7.) £67,030, Medical Establishments at Home and Abroad.
(8.) £21,408, Marine Divisions.

Resolutions to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £1,030,000, be granted to Her Majesty, to defray the Expense of Naval Stores for Building, Repairing, and Outfitting the Fleet and Coast Guard, which will come in course of payment during the year ending on the 31st day of March 1880" .. 1820

Motion, by leave, *withdrawn.*

Motion made, and Question proposed, "That a sum, not exceeding £566,749, be granted to Her Majesty, to defray the Expense of New Works, Buildings, Yard Machinery, and Repairs, which will come in course of payment during the year ending on the 31st day of March 1880" 1820

Whereupon Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. William Henry Smith,*)—put, and *agreed to.*

Resolutions to be reported *To-morrow,* at Two of the clock; Committee also report Progress; to sit again *To-morrow,* at Two of the clock.

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EAST INDIA LOAN (CONSOLIDATED FUND) [ANNUITIES]—
Considered in Committee.
(In the Committee.)
Resolved, That it is expedient to authorise the Commissioners of Her Majesty's Treasury to raise a sum or sums of money, not exceeding in the whole £2,000,000 sterling, by the creation of Three Pounds per Centum per Annum Permanent Annuities, chargeable on the Consolidated Fund of the United Kingdom, for the purpose of making a Loan to the Secretary of State in Council of India.
Resolution to be reported *To-morrow*, at Two of the clock.

Bankruptcy Law Amendment (*re-committed*) **Bill** [*Lords*] [Bill 254]
Moved, "That the House will, upon Saturday, resolve itself into Committee" 1821
[House counted out.]

LORDS, FRIDAY, AUGUST 1.

LUNACY INQUIRY (IRELAND) COMMISSION—Question, Observations, Lord O'Hagan; Reply, The Lord Chancellor 1821

THE LATE PRINCE IMPERIAL—MOTION FOR PAPERS—
Moved for, Copies of the Orders or Instructions under which the late Prince Imperial was acting on the 1st of June; and for Copies of the Orders which detailed Lieutenant Carey for duty on the same day; and for Copies of the Charge or Charges upon which Lieutenant Carey was arraigned,—(*The Earl of Dunraven*) 1821
After short debate, Motion (by leave of the House) *withdrawn*.

MERCHANT SHIPPING—EXPLOSIVES ACT, 1875—Question, Observations, Lord Truro; Reply, Lord Henniker 1839

Petroleum Act (1871) Amendment Bill (No. 161)—
Order of the Day for the House to be put into Committee, read .. 1841
After short debate, House in Committee accordingly:—Bill *reported*, without Amendment; and to be read 3ª on *Tuesday* next.

COMMONS, FRIDAY, AUGUST 1.

QUESTIONS.

SCOTLAND—THE UNIVERSITY OF EDINBURGH—THE PROFESSOR OF CHURCH HISTORY—Questions, Mr. M'Laren; Answers, Mr. Assheton Cross .. 1842
REPRODUCTIVE LOAN FUND (IRELAND)—LOANS TO CLARE FISHERMEN—Questions, Mr. O'Shaughnessy; Answers, Mr. J. Lowther .. 1843
KINGDOM OF SIAM—ACTION OF MR. KNOX, BRITISH CONSUL GENERAL—THE GUNBOAT "FOX"—Question, Mr. Rylands; Answer, Mr. Bourke 1844
LUNACY AND POOR LAW ADMINISTRATION (IRELAND)—THE COMMISSION OF INQUIRY—Question, Mr. Macartney; Answer, Mr. J. Lowther .. 1845
VACCINATION ACTS (IRELAND) AMENDMENT BILL—Question, Mr. G. E. Browne; Answer, Mr. J. Lowther 1846
NAVAL DISCIPLINE BILL—PUNISHMENT—Question, Mr. Macdonald; Answer, Mr. W. H. Smith 1846
ARMY—COMMISSARIAT OFFICERS—THE WARRANT—Question, Colonel Mure; Answer, Lord Eustace Cecil 1846
EGYPT—THE PAPERS—Questions, Mr. Otway, Sir Julian Goldsmid; Answers, Mr. Bourke, The Chancellor of the Exchequer .. 1847
ARMY DISCIPLINE AND REGULATION BILL—IMPRISONMENT OF MILITARY OFFENDERS—Question, Colonel Colthurst; Answer, Mr. Assheton Cross 1849

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SHIPPING CASUALTIES INVESTIGATIONS RE-HEARING BILL—AMENDMENTS—Question, Mr. Mac Iver; Answer, Mr. J. G. Talbot 1850

REGULATION OF RAILWAYS ACTS CONTINUANCE BILL—THE RAILWAY COMMISSION—Questions, Mr. Hermon, Mr. Callan; Answers, Mr. J. G. Talbot 1850

PARLIAMENT—BUSINESS OF THE HOUSE—Questions, Mr. Mac Iver, Mr. Beresford Hope; Answers, The Chancellor of the Exchequer .. 1851

ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

AUSTRALIAN DEFENCES—THE REPORTS—MOTION FOR AN ADDRESS—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, Copies of Official Reports on Australian Defences, by Sir W. F. D. Jervois and Colonel Scratchley, R.E.; and of Correspondence relating thereto between those Officials, the Governments of New South Wales, Victoria, South Australia, Queensland, Tasmania, New Zealand, and the Colonial Office,"—(*Colonel Arbuthnot*,)—instead thereof 1852

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Question put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," again proposed:—

SOUTH AFRICA—ADMINISTRATION OF NATIVE AFFAIRS—Observations, Mr. Chamberlain; Reply, Sir Michael Hicks-Beach:—Debate thereon .. 1853

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—NAVY ESTIMATES—

(In the Committee).

(1.) £1,030,000, Naval Stores for Building and Repairing the Fleet, &c.
(2.) £842,000, Machinery and Ships built by Contract, &c.
(3.) £566,749, New Works, Buildings, Yard Machinery, and Repairs.
(4.) £75,710, Medicines and Medical Stores, &c.
(5.) £7,985, Martial Law, &c.

Resolutions to be reported.

Motion made, and Question proposed, "That a sum, not exceeding £140,530, be granted to Her Majesty, to defray the Expense of various Miscellaneous Services, which will come in course of payment during the year ending on the 31st day of March 1880" 1894

Motion made, and Question proposed, "That a sum, not exceeding £139,530, be granted, &c.,"—(*Mr. Arthur Moore.*)

After short debate, it being ten minutes to Seven of the clock, the Debate stood adjourned till *this day.*

Resolutions to be reported *To-morrow;* Committee also report Progress; to sit again *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

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ORDERS OF THE DAY.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

MALTA (COST OF POLICE, &c.)—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the cost of maintaining the Police, and of draining, repairing, lighting, cleaning, and watering the streets, &c. in Malta, should be paid out of a rate upon house and other property (upon which, at present, no rates or taxes of any kind whatever are levied), and not, inter alia, out of a tax upon wheat and other grain for food, and upon potatoes and other vegetables, which, as a matter of fact, actually takes more per head from the very poor who live in cellars than it takes per head from those who live in the best houses in the streets and squares; and the House is therefore further of opinion that it is the duty of Her Majesty's Government to take such steps as may be necessary to secure the abolition of the taxes on food in Malta on and from the 1st day of January 1881,"—(*Mr. Plimsoll,*)—instead thereof 1898

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 120, Noes 62; Majority 58.—(Div. List, No. 201.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed, "That a sum, not exceeding £140,530, be granted to Her Majesty, to defray the Expense of various Miscellaneous Services, which will come in course of payment during the year ending on the 31st day of March 1880" 1918

Whereupon Motion made, and Question proposed, "That a sum, not exceeding £139,530, be granted, &c.,"—(*Mr. A. Moore:*)—After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Parnell:*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 1931

Whereupon Motion made, and Question proposed, "That a sum, not exceeding £139,530, be granted, &c:"—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) £210,250, for Freight, &c. on account of the Army Department.

(3.) £145,836, Greenwich Hospital and School.

CIVIL SERVICE ESTIMATES—CLASS IV.—EDUCATION, SCIENCE, AND ART.

Motion made, and Question proposed, "That a sum, not exceeding £222,409, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Science and Art Department, and of the Establishments connected therewith" 1932

Motion made, and Question proposed, "That a sum, not exceeding £221,909, be granted, &c.,"—(*Mr. Errington:*)—After short debate, *Moved,* "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Biggar:*)—After further short debate, Motion, by leave, *withdrawn.*

Original Question again proposed 1940

Whereupon Motion made, and Question proposed, "That a sum, not exceeding £221,909, be granted, &c.:"—Motion, by leave, *withdrawn.*

Original Motion, by leave, *withdrawn.*

(4.) £82,249, British Museum.

Resolutions to be reported upon *Monday* next; Committee to sit again *To-morrow.*

University Education (Ireland) (No. 2) Bill [*Lords*] [Bill 250]—

Moved, "That the House will resolve itself into Committee upon Tuesday next, at Two of the clock" 1940

Amendment proposed, to leave out the words "at Two of the clock,"—(*Mr. Courtney.*)

University Education (*Ireland*) (*No.* 2) *Bill*—continued.

Question proposed, "That the words 'at Two of the clock' stand part of the Question:"—After short debate, Question put:—The House *divided;* Ayes 70, Noes 2; Majority 68.—(Div. List, No. 202.)

Main Question put, and *agreed to.*

Game Laws Amendment (**Scotland**) **Bill** [Bill 143]—

Moved, "That the House will resolve itself into Committee upon Monday next" 1941

Question put, and *agreed to*:—Committee *deferred* till *Monday* next.

East India Loan (**Annuities**) **Bill**—Resolution [July 31] *reported,* and *agreed to*:—Bill *ordered* (*Mr. Edward Stanhope, Mr. Chancellor of the Exchequer, Mr. Raikes*); *presented,* and read the first time [Bill 275] 1942

WAYS AND MEANS—

Resolutions [July 31] *reported,* and *agreed to* 1942

Agricultural Holdings (**Scotland**) (**Warning to Remove**) **Bill**—*Ordered* (*Sir Alexander Gordon, Mr. M'Lagan, Mr. James Barclay*); *presented,* and read the first time [Bill 277] 1942

COMMONS, SATURDAY, AUGUST 2.

QUESTIONS.

MOROCCO—Question, Mr. Macdonald; Answer, The Chancellor of the Exchequer 1942

IRELAND—THE PHŒNIX PARK—Question, Mr. Callan; Answer, Mr. J. Lowther 1943

IRELAND — CHARGE AGAINST AN OFFICER OF THE ROYAL IRISH CONSTABULARY—Question, Mr. Sullivan; Answer, Mr. J. Lowther .. 1944

EXPIRING LAWS CONTINUANCE BILL—Questions, Major Nolan, Mr. Callan; Answers, Mr. J. Lowther, Sir Henry Selwin-Ibbetson 1945

SUPPLY—THE SCOTCH AND IRISH UNIVERSITIES VOTE—Question, Mr. A. Moore; Answer, The Chancellor of the Exchequer 1945

Moved, "That this House do now adjourn,"—(*Mr. A. Moore*:)—After short debate, Motion, by leave, *withdrawn.*

ORDERS OF THE DAY.

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES—[*Progress.*]

(In the Committee.)

CLASS IV.—EDUCATION, SCIENCE, AND ART.

(1.) Motion made, and Question proposed, "That a sum, not exceeding £222,409, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Science and Art Department, and of the Establishments connected therewith" 1949

After debate, Motion made, and Question proposed, "That a sum, not exceeding £201,801, be granted, &c.,"—(*Mr. Edward Jenkins*:)—After further short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) Motion made, and Question proposed, "That a sum, not exceeding £266,766, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for Public Education in Scotland" 1970

SUPPLY—CIVIL SERVICE ESTIMATES—continued.

After short debate, *Moved*, "That the Chairman do now leave the Chair,"—(*Mr. Grant Duff*:)—After further short debate, Motion, by leave, *withdrawn*.
After further short debate, Original Question put, and *agreed to*.
(3.) £12,771, to complete the sum for the National Gallery.
(4.) £1,710, to complete the sum for the National Portrait Gallery.
(5.) £11,050, to complete the sum for Learned Societies and Scientific Investigation.
(6.) £8,076, to complete the sum for the London University.
(7.) £3,000, to complete the sum for Deep Sea Exploring Expedition (Report).—After short debate, Vote *agreed to* 1985
(8.) £1,500, to complete the sum for the National Gallery, &c. Scotland.
(9.) £443,029, to complete the sum for Public Education, Ireland.—After debate, Vote *agreed to* 1986
(10.) £2,806,825, to complete the sum for the Post Office.—After short debate, Vote *agreed to* 1996

ARMY ESTIMATES.

(11.) Motion made, and Question proposed, "That a sum, not exceeding £203,000, be granted to Her Majesty, to defray the Charge for the Pay, Allowances, &c. of a number of Army Reserve First Class, not exceeding 22,000, and of the Army Reserve Second Class, which will come in course of payment during the year ending on the 31st day of March 1880" 1999
Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Major O'Beirne*:)—After short debate, Question put:—The Committee *divided*; Ayes 8, Noes 85; Majority 77.—(Div. List, No. 203.)
Original Question again proposed 2000
Moved, "That the Chairman do now leave the Chair,"—(*Mr. Parnell*:)—After short debate, Question put, and *negatived*.
Original Question again proposed 2003
After short debate, *Moved*, "That the Chairman do report Progress, and ask leave to sit again,"—(*Major O'Beirne*:)—Question put, and *negatived*.
Original Question again proposed 2013
After short debate, Motion made, and Question proposed, "That a sum, not exceeding £197,000, be granted, &c.,"—(*Sir Patrick O'Brien*:)—After further short debate, Motion, by leave, *withdrawn*.
Original Question again proposed 2017
Motion made, and Question put, "That Sub-head B, £165,000, Pay of Army Reserve, be reduced by £25,000,"—(*Mr. Parnell*:)—The Committee *divided*; Ayes 4, Noes 64; Majority 60.—(Div. List, No. 204.)
Original Question put, and *agreed to*.
(12.) Motion made, and Question proposed, "That a sum, not exceeding £392,400, be granted to Her Majesty, to defray the Charge for Commissariat, Transport, and Ordnance Store Establishments, Wages, &c., that will come in course of payment during the year ending on the 31st day of March 1880" 2018
After short debate, Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. O'Donnell*,)—put, and *negatived*.
Original Question again proposed 2022
Moved, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Callan*:)—After short debate, Motion, by leave, *withdrawn*.
After further short debate, Original Question put, and *agreed to*.

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

Registry Courts (Ireland) (Practice) Bill [Bill 259]—
Order for Committee read 2026
After short debate, Bill *considered* in Committee; Committee report Progress; to sit again upon *Tuesday* next.

Chartered Banks (Colonial) Bill—*Considered* in Committee:—Resolution *agreed to*, and *reported*:—Bill *ordered* (*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*); *presented*, and read the first time [Bill 278] 2026

Expiring Laws Continuance Bill—*Ordered* (*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*); *presented*, and read the first time [Bill 279] 2026

TWENTY-FIRST PARLIAMENT OF THE UNITED KINGDOM.

COMMONS.

NEW WRIT ISSUED.

FRIDAY, JULY 18, 1879.

For *Ennis*, *v.* William Stacpoole, esquire, deceased.

NEW MEMBERS SWORN.

THURSDAY, JULY 17.

Glasgow—Charles Tennant, esquire.

TUESDAY, JULY 29.

Ennis Borough—James Lysaght Finigan, esquire.

HANSARD'S
PARLIAMENTARY DEBATES,

IN THE
Sixth Session of the *Twenty-First Parliament* of the
United Kingdom of *Great Britain* and *Ireland*,
appointed to meet 5 March, 1874, and thence continued
till 5 December, 1878, in the Forty-second Year of
the Reign of

HER MAJESTY QUEEN VICTORIA.

SIXTH VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, 10*th July*, 1879.

MINUTES.]—Public Bills—*First Reading*—Conveyancing and Land Transfer (Scotland) Act (1874) Amendment* (141); Cork Borough Quarter Sessions* (142); Highway Accounts (Returns)* (143); Public Loans Remission* (144).

Second Reading—Sale of Food and Drugs Act (1875) Amendment* (127).

Committee—*Report*—Public Health Act (1875) Amendment (Interments) (123).

Report—Wormwood Scrubs Regulation* (128).

PUBLIC HEALTH ACT (1875) AMENDMENT (INTERMENTS) BILL.—(No. 123.)

(*The Earl Stanhope.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*The Earl Stanhope.*)

THE EARL OF KIMBERLEY rose to move that the House resolve itself into Committee that day three months; and said, that, although his noble Friend the Leader of the Opposition in that House had taken a Division on the second reading of this Bill, he had thought it right to give Notice of his intention to take the sense of the House on the measure a second time, because, in the debate on the second reading, their Lordships were not favoured with the opinion of the Government. He hoped they would now hear that opinion, and especially the opinion of the Local Government Board. The Bill was not a very important one; but it was not one that ought to pass without its provisions being thoroughly understood. It was extremely short. The operative clause was in these terms—

> "The provisions of the principal Act, as to a place for the reception of the dead before interment, in the principal Act called a mortuary, shall extend to a place for the interment of the dead, in this Act called a cemetery; and the

> purposes of the principal Act shall include the acquisition, construction, and maintenance of a cemetery. A local authority may acquire, construct, and maintain a cemetery, either wholly or partly, within or without, their district, subject as to works without their district for the purpose of a cemetery to the provisions of the principal Act as to sewage works by a local authority without their district. A local authority may accept a donation of land for the purpose of a cemetery, and a donation of money or other property for enabling them to acquire, construct, or maintain a cemetery."

The Public Health Act of 1875 provided for the supply by the local authority of a mortuary for the reception of dead bodies; this Bill extended that provision to cemeteries, and being construed with the 141st clause of the principal Act, enacted that the local authority might, and when required by the Local Government Board should, provide a cemetery. If the Bill became law, there would be three classes of burial places — the churchyards, the cemeteries provided by the Burial Boards, and the cemeteries to be established under this Act. The sanitary authority, which might be the Board of Guardians, would be enabled to provide cemeteries at the expense of the ratepayers and subject to none of the provisions of the Burial Acts. It might provide an entirely consecrated burial ground or an entirely unconsecrated one. The Bill, so far from remedying, would, in his judgment, aggravate the evils that at present existed in connection with the Burial Laws. It was an insidious Bill, for under the guise of an apparently simple clause in this short Bill the whole Burial Law of the country would be altered. Though a Poor Law Guardian himself, he ventured to think that the machinery of a Board of Guardians was not the best one for such a purpose as that. Many persons thought that this was an injudicious Bill, and one calculated to increase the grievance of which the Dissenters now complained. The Nonconformists claimed to have their dead buried in churchyards in such a manner as should not violate their consciences; and they were offered cemeteries in substitution for churchyards, to be provided at the expense of the ratepayers. He was certain that no contrivance of the kind would be satisfactory to the Nonconformist bodies. The noble Earl concluded by moving that the House do resolve itself into a Committee on the Bill that day three months.

Amendment *moved,* to leave out ("now") and add at the end of the Motion ("this day three months.")—(*The Earl of Kimberley.*)

Viscount CRANBROOK said, that this Bill, like all the Burial Acts which had ever been passed, had been introduced on grounds of public health. Up to this time, under the operation of the previous Acts, some thousands of burial grounds had been closed, and from 3,000 to 4,000 cemeteries opened. This Bill was introduced into the House of Commons in December last, and passed a second reading and went through Committee without opposition. On the third reading, a Motion was made for its rejection by the hon. and learned Member for Denbighshire (Mr. Osborne Morgan), who seemed to have a vested interest in the burial question; but the vote which carried the third reading was not a Party one, for the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), and others of his Friends, voted against him. The Bill was a well-considered one. The noble Earl (the Earl of Kimberley) appeared to think it was not necessary; but he would ask whether any noble Lord opposite who had filled the Office of Home Secretary had ever arrived at any definite understanding of the Burial Acts? It was true that under the existing Acts the Burial Boards were compelled to have unconsecrated burial ground; and there could be no doubt that the Local Government Board, who had control over the sanitary authorities in this matter, would give the fullest consideration to the wants of Nonconformists, and would never sanction a burial ground in which provision was not made for their wants. There was no existing Act to compel any district to have a burial ground, and at this moment the large town of Northampton was without a public one. Under the Bill, for the first time, where there was a local authority, and the Local Government Board ordered the closing of a burial ground as dangerous to public health, the Board could compel it to establish a cemetery. From his own experience at the Home Office, he did not think the Home Secretary was called on to perform any more painful duty than that of deciding on the application of persons to have interments made in the family graves of closed cemeteries. He hoped that the question of passing this Bill would not be made one between Churchmen and Dissenters — that no such attempt would be made to amplify a little measure; but that their Lordships would agree to the Bill as one which was required to meet a necessity of the public health.

The Earl of KIMBERLEY asked, where was the clause in the Bill which gave the Local Government Board a controlling power in the matter?

Viscount CRANBROOK said, that it would be found in the Acts incorporated with the Bill.

Lord ABERDARE said, the contention on his side of the House was that no provisions for the equal burial of Churchmen and Dissenters were to be found in the Bill. If he were only convinced that both sides would receive equal advantages, he would support the Bill. Then the manner in which the Bill had been brought forward looked very like legislation by surprise, and its very title was misleading. There were many things included in the measure which had nothing to do with public health. He denied, also, the statement of the noble Viscount that all the Burial Acts which had been passed had been passed in the interests of public health. Surely a measure proposing so important an alteration in the existing law should not be sanctioned until it was thoroughly understood, especially as it was proposed to take money from the local rates. So far from this, however, eminent Nonconformists, including Members of the other House of Parliament, now expressed their astonishment at the Bill, which had not been looked into, and was not understood by them, before it passed the House of Commons. Under the Cemeteries Act, which was to be incorporated with this Bill, no provision was made for equality as regarded Church and Dissent; for if the Bishop of the diocese called on the local authorities to provide a cemetery and chapel they were compelled to do so; whereas, in all other cases, it was provided that they "may," if they think fit. He asked the right rev. Prelate opposite (the Bishop of Peterborough) whether, under the existing law, there was not equality, as a portion of the cemeteries now established must be consecrated?

The Bishop of PETERBOROUGH said, he would not trouble their Lordships by entering into a discussion of the principles of the Bill; but the challenge just thrown out to him by his noble Friend was one which he could not pass by. His noble Friend appealed to him as to the correctness of his statement that under the existing Cemeteries Act there was perfect equality, inasmuch as private companies formed under that Act could be compelled by the Bishop to set apart a certain portion of the ground in their cemeteries for consecration at his hands. He could furnish a fact that was conclusive against that proposition. In Northampton, which was within his own diocese, and where for years all the parish grave-yards had been closed by Act of Parliament, there existed no public cemetery, but the cemetery in the hands of a private company. That private company, the majority of which were Dissenters, had not only not been compelled to have a portion of their ground consecrated, but they had repeatedly refused to do so; and at that moment Churchmen in Northampton were by his open connivance interred in unconsecrated ground with the service of the Church. He thought there ought to be equality towards all. For himself, he would be perfectly content to see a cemetery no portion of which was consecrated, and in which all might be buried without distinction, with their own forms. He mentioned that to show that it was in no illiberal spirit he expressed his opinion that the existing law did not do justice to Churchmen who desired to have consecrated ground.

Lord SELBORNE said, that under this Bill every Town Council, without any control, and Board of Guardians throughout the country, subject to a certain limited control, could do the very same thing, either in favour of the Church or against the Church, as had been done at Northampton. Under the existing Burials Acts, when a new cemetery was established, it must be done on equal terms as between Churchmen and Dissenters; but under this Bill the local authorities would have the power of establishing out of the rates — that was, by public taxation, purely sectarian burial grounds; so that, instead of removing or mitigating any existing sense of grievance, the Bill would merely introduce a new element of discord. If they wanted to enlarge or alter the powers of the Burials Acts, let them do so; but he deprecated their going back, from the policy of the Burials Acts, to the imperfect policy of earlier Acts, enabling companies to make cemeteries throughout the country; because, if they reverted to such a policy, sectarian questions would arise under colour of a Bill professedly intended for the purposes of public health. And to enable this to be done out of rates was quite a new thing in public legislation; it was, in fact, to reverse the policy of the Church Rates Abolition Act.

Lord NORTON said, that the noble Lord opposite (Lord Aberdare) had forgotten the Acts later than the only one he cited; which, in acknowledgment of the failure of the attempt to insist on posthumous schism in grave-yards, and of the enactment that there should always be unconsecrated as well as consecrated ground in every cemetery, and chapels for each, had provided that there might be either the one or other, or both, just as any locality desired. The principle of these later Acts was the principle of this Bill. The noble and learned Lord who had just spoken made the same mistake; and the Northampton case only showed the necessity of some authority being made to act, where no one was inclined to make requisite provision for burials at all. He, however, supported the Bill on sanitary grounds. It was distinctly a sanitary measure, and the first attempt to carry into full effect the recommendations of the Sanitary Commission over which he had presided for two years to make it part of the duties of local authorities to provide proper interment of the dead. He must point out that this Bill would only enact in respect of cemeteries what was already law in the case of mortuaries.

Earl COWPER observed, that the fact that this Bill had passed through the House of Commons without discussion, except upon its third reading, was hardly surprising, inasmuch as some Bills were considered in the other House at such enormous length, and with such copiousness, that hon. Members got sick and passed other measures through the Forms of the House at a late hour of the night hurriedly, without giving them sufficient consideration. This, it was said, was merely a sanitary measure; but the only reason given for placing it under that description was that the power was lodged in the local sanitary authorities. For his own part, he objected to any increased power in this matter being given to the sanitary authorities in the rural districts, for their action had certainly not rendered it advisable to increase their power in any way. The default of those bodies he regarded as a fundamental one, due to their constitution—namely, that under their constitution taxation and representation did not go together. Under this Bill, the sanitary authorities would have power to establish cemeteries consisting wholly of consecrated ground; and after the decision which that House had come to two years ago, that all churchyards in the country should be open to all religious bodies, provided their funerals were conducted in a Christian and orderly manner, their Lordships would be stultifying themselves if they gave authority to any bodies to establish cemeteries in which restrictions were imposed upon burials. He hoped that the House would divide, and that the result of the hurried Division of the other night would be reversed.

Lord DENMAN hoped that no alteration would be made in the Bill.

On Question, That ("now") stand part of the Motion? Their Lordships *divided*:—Contents 117; Not-Contents 69: Majority 48.

CONTENTS.

Canterbury, L. Archp.
Cairns, E. (*L. Chancellor.*)
York, L. Archp.

Leeds, D.
Richmond, D.

Abercorn, M. (*D. Abercorn.*)
Abergavenny, M.
Bristol, M.
Exeter, M.
Hertford, M.
Salisbury, M.

Amherst, E.
Bathurst, E.
Beaconsfield, E.
Beauchamp, E.
Bradford, E.
Brownlow, E.
Cadogan, E.
Coventry, E.
Dartmouth, E.
Devon, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Dundonald, E.
Eldon, E.
Gainsborough, E.
Hardwicke, E.
Harewood, E.
Lanesborough, E.
Lonsdale, E.
Lucan, E.
Macclesfield, E.
Mar and Kellie, E.
Morton, E.
Mount Edgcumbe, E.
Nelson, E.
Pembroke and Montgomery, E.
Powis, E.
Redesdale, E.
Romney, E.
Rosslyn, E.
Sandwich, E.
Stanhope, E. [*Teller.*]
Verulam, E.
Wharncliffe, E.

Wilton, E.

Bridport, V.
Clancarty, V. (*E. Clancarty.*)
Cranbrook, V.
Hardinge, V.
Hawarden, V.
Hood, V.
Hutchinson, V. (*E. Donoughmore.*)
Melville, V.
Strathallan, V.

Bangor, L. Bp.
Chichester, L. Bp.
Ely, L. Bp.
Llandaff, L. Bp.
London, L. Bp.
Peterborough, L. Bp.
St. Albans, L. Bp.
St. David's, L. Bp.
Winchester, L. Bp.

Alington, L.
Ashford, L. (*V. Bury.*)
Aveland, L.
Bagot, L.
Bateman, L.
Bolton, L.
Brodrick, L. (*V. Midleton.*)
Clanbrassill, L. (*E. Roden.*)
Clements, L. (*E. Leitrim.*)
Clinton, L.
Colchester, L.
Colville of Culross, L.
De L'Isle and Dudley, L.
Denman, L.
de Ros, L.
De Saumarez, L.
Ellenborough, L.
Forbes, L.
Forester, L.
Foxford, L. (*E. Limerick.*)
Gordon of Drumearn, L.
Gormanston, L. (*V. Gormanston.*)
Grey de Radcliffe, L. (*V. Grey de Wilton.*)
Hampton, L.
Harlech, L.
Hartismere, L. (*L. Henniker.*)
Inchiquin, L.
Kenlis, L. (*M. Headfort.*)
Leconfield, L.
Lilford, L.
Lovel and Holland, L. (*E. Egmont.*)
Manners, L.
Norton, L.
O'Neill, L.
Oranmore and Browne, L.
Penrhyn, L.
Raglan, L.
Ranfurly, L. (*E. Ranfurly.*)
Rivers, L.
Saltoun, L.
Silchester, L. (*E. Longford.*)
Skelmersdale, L. [*Teller.*]
Sondes, L.
Strathnairn, L.
Strathspey, L. (*E. Seafield.*)
Talbot de Malahide, L.
Templemore, L.
Tredegar, L.
Tyrone, L. (*M. Waterford.*)
Ventry, L.
Walsingham, L.
Windsor, L.
Winmarleigh, L.
Zouche of Haryngworth, L.

NOT-CONTENTS.

Bedford, D.
Devonshire, D.
Westminster, D.

Ailesbury, M.
Northampton, M.
Ripon, M.

Airlie, E.
Camperdown, E.
Chichester, E.
Clarendon, E.
Cowper, E.
Dartrey, E.
Fortescue, E.
Granville, E.
Ilchester, E.
Kimberley, E.
Minto, E.
Morley, E.
Portsmouth, E.
Spencer, E.
Sydney, E.
Zetland, E.

Canterbury, V.
Cardwell, V.
Powerscourt, V.

Aberdare, L.
Annaly, L.
Blantyre, L.
Boyle, L. (*E. Cork and Orrery.*) [*Teller.*]
Breadalbane, L. (*E. Breadalbane.*)
Carrington, L.
Carysfort, L. (*E. Carysfort.*)
Castletown, L.
Churchill, L.
Clifford of Chudleigh, L.
Coleridge, L.
Congleton, L.
Dacre, L.
Ebury, L.
Elgin, L. (*E. Elgin and Kincardine.*)
Emly, L.
Foley, L.
Hammond, L.
Hare, L. (*E. Listowel.*)
Hatherley, L.
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Leigh, L.
Meldrum, L. (*M. Huntly.*)
Monck, L. (*V. Monck.*)
Monson, L. [*Teller.*]
Mostyn, L.
O'Hagan, L.
Poltimore, L.
Ponsonby, L. (*E. Bessborough.*)
Ribblesdale, L.
Robartes, L.
Romilly, L.
Rosebery, L. (*E. Rosebery.*)
Sandys, L.
Sefton, L. (*E. Sefton.*)
Selborne, L.
Somerton, L. (*E. Normanton.*)
Strafford, L. (*V. Enfield.*)
Sudeley, L.
Truro, L.
Vernon L.
Vivian, L.
Waveney, L.
Wolverton, L.

Resolved in the *Affirmative.*

House in Committee accordingly; Bill *reported*, without Amendment; and to be read 3ª on *Tuesday* next.

LORD ABERDARE gave Notice that on the third reading he would bring forward Amendments which, from some unfortunate mistake, had not been printed on the Notice Paper.

THE ROYAL HORTICULTURAL SOCIETY.

OBSERVATIONS. QUESTIONS.

VISCOUNT ENFIELD said, it would be in the recollection of their Lordships that Her Majesty Commissioners for the Exhibition of 1851 proposed in the year 1860 to let a portion of the ground purchased by them at South Kensington to the Royal Horticultural Society, who were to form the Gardens there; and, by certain agreements between the two Corporations the Society was authorized to borrow £50,000 on debentures, and the Commissioners engaged to expend £50,000 in forming earthworks and building the arcades. The Society not only spent the whole of the £50,000 raised upon their debentures, but also a large sum of money—£25,000—received for life-fellowships in building the conservatory and forming the Gardens. The interest on the debenture debt was made payable out of the receipts from the Gardens, as defined by the original agreement, after paying all necessary expenses; and after payment of such interest the balance up to £2,400 was to be paid to the Commissioners as interest on their outlay by way of rent. The receipts of the Gardens, in spite of the most rigid economy, had unfortunately not been sufficient of late years to pay the debenture interest; and in March last Her Majesty's Commissioners, alleging a right of re-entry, commenced a suit in Chancery to recover possession of the Gardens without compensation to anyone—the effect of which suit, if successful, would be to destroy the security of the debenture-holders and the rights of life-fellows. He wished, therefore, to ask the Lord President the following Questions:—Whether it was true that Her Majesty's Commissioners for the Exhibition of 1851 had commenced a suit in Chancery against the Royal Horticultural Society in order to recover possession of the Gardens at South Kensington, now in the occupation of the Society; whether it was the fact that this proceeding, if carried into effect, would extinguish the liability of Her Majesty's Commissioners to pay the holders of the Horticultural Society's debentures ten shillings in the pound in 1892, provided Her Majesty's Commissioners should, at that date, decline to renew the Society's lease; and, whether, if the facts were as stated, Her Majesty's Commissioners proposed to make any compensation to the debenture-holders for the security now held by them, which it was thus proposed to extinguish?

EARL GRANVILLE said, the Lord President had requested him to answer the Questions of the noble Viscount, as he was one of the Commissioners of 1851. It was true that such a suit had been commenced. But with regard to the other matters included in the Question, he had to state that the Commissioners never had been, were not, and never could be under any liability to pay the debentures of the Royal Horticultural Society, and that, this being so, they did not propose to make any compensation to the debenture-holders.

House adjourned at a quarter before
Seven o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 10*th July*, 1879.

MINUTES.] — SELECT COMMITTEE — *Report* — Poor Removal [No. 282].

PUBLIC BILLS—*Second Reading*—Supreme Court of Judicature (Officers) * [235]; Metropolitan Board of Works (Water Expenses) [204].

Select Committee—Report—Coroners [No. 279]; New Forest Act (1877) Amendment.

Committee — Army Discipline and Regulation [88]—R.P.

Committee—Report—Slave Trade (East African Courts) * [232]; Children's Dangerous Performances * [229].

Considered as amended—Customs Buildings * [228].

QUESTIONS.

EXHIBITION COMMISSIONERS, 1851, *v.* THE ROYAL HORTICULTURAL SOCIETY.—QUESTION.

MR. J. R. YORKE asked Mr. Chancellor of the Exchequer, Whether it is true that Her Majesty's Commissioners for the Exhibition of 1851 have commenced a suit in Chancery against the Royal Horticultural Society, with the view of recovering possession of the Gardens at South Kensington now in the occupation of that Society; whether it is the fact that this proceeding, if carried into effect, would extinguish the liability of Her Majesty's Commissioners to pay the holders of the Horticultural Society's Debentures, ten shillings in the pound in 1892, provided Her Majesty's Commissioners should at that date decline to renew the Society's lease; and, whether, if the facts be as stated, Her Majesty's Commissioners propose to make any compensation to the Debenture Holders, for the security now held by them, which it is thus proposed to extinguish?

THE CHANCELLOR OF THE EXCHEQUER: The Commissioners have commenced an action in the Chancery Division of the High Court of Justice for the purpose of recovering possession of the Gardens at South Kensington, formerly agreed to be demised by them to the Royal Horticultural Society. The Commissioners never have been, and are not, and never can be, under any liability to pay the holders of the Royal Horticultural Society's debentures 10*s.* in the pound, or any other sum, because any possible liability to do so was contingent on the Society having performed the covenants in the agreements, which they have not done. Having regard to that fact, and to the fact that the debenture-holders have no lien or charge upon the property comprised in the agreements, the Commissioners, who hold their funds as trustees for the public, do not propose to make any compensation to those gentlemen.

PRISONS ACT, 1877—PRISON LABOUR.

QUESTION.

SIR JOHN LUBBOCK asked the Secretary of Sate for the Home Department, Whether he is aware of the circumstances and conditions under which the Governor of Her Majesty's Prison at Maidstone is endeavouring to obtain orders for printing and bookbinding; whether this is done with the sanction and approval of Her Majesty's Government; and, whether it is part of a system which has been authorized in the prisons throughout the Country?

MR. ASSHETON CROSS, in reply, said, the authorities of Maidstone Prison might, for all he knew, be endeavouring to obtain orders for the kind of work referred to by the hon. Baronet in his Question. The practice in regard to prison work was to spread it over as many branches of labour as possible, so as not to press unduly on any particular industry of the country.

GENERAL PRISONS (IRELAND) ACT— SURGEONS.—QUESTIONS.

MR. BRUEN asked the Chief Secretary for Ireland, Whether the Surgeons of Gaols in Ireland who were appointed by Boards of Superintendence, and who have performed the duties of their office before and since the 1st day of April 1878, are recognized by Her Majesty's Government as "Officers attached to Prisons" within the meaning of s. 27 of "The General Prisons (Ireland) Act, 1877;" whether surgeons not so appointed, but obliged as surgeons of infirmaries to perform medical duties in gaols, and who have performed them before and since the 1st day of April 1878, are so recognized; and, whether any salary will be paid to Prison Medical Officers for duties performed from the 1st day of April 1878 to the present time; and, if so, whether he will lay upon the Table of the House a scale of the salaries to be paid for the performance of these duties?

MR. J. LOWTHER: My answer to all my hon. Friend's inquiries is in the affirmative; and, in addition to the table of salaries, I will lay upon the Table an explanatory document, which will make the matter clear.

MR. ERRINGTON asked the Chief Secretary for Ireland, Whether a Memorial was presented to the Irish Government from the Irish College of Physicians, protesting in the interests of the medical profession against the proposed amalgamation of the offices of surgeon and compounder in the Irish gaols; and, whether, in spite of this Memorial and of the strong feeling on the subject among the prison surgeons themselves, it is still intended to combine the two offices?

MR. J. LOWTHER: Sir, the Memorial referred to by the hon. Gentleman has been received. The intention, however, is not to make the amalgamation compulsory in the case of existing officers; but only in the cases of fresh appointments.

MERCHANT SHIPPING ACTS—INSPECTION OF EMIGRANT SHIPS.

QUESTION.

MR. EVELYN ASHLEY asked the President of the Board of Trade, with reference to the circular of July 1873, by which emigration officers, surveyors, and medical officers were directed under certain circumstances to inspect outward-bound vessels on Sundays so as to avoid the detention of those vessels, and extra fees for this extra work were ordered to be paid to the Mercantile Marine Fund by the owners of those vessels, On what ground the Board of Trade can justify the withholding from an emigration officer his share of those fees, long since paid to the Mercantile Marine Fund, for extra work done by him between August 1873 and February 1875?

VISCOUNT SANDON: The claim alluded to was raised some years ago, and disallowed by the Office. These fees for Sunday work were, I am informed, placed at a high rate, with the view of discouraging such demands upon the services of the officers, except in cases of necessity. No fees for overtime or for Sunday work have ever been paid by the Board of Trade to any salaried officer holding the position referred to by the Question. There are various salaried officers who have done Sunday work, and who are liable to have to do it in the future. None of these salaried officers have received the fees alluded to; and it appears to me impossible to make an exception in favour of one particular officer without giving up the general rule which has been hitherto adopted, and which we see no cause for abandoning.

ROYAL VICTORIA PATRIOTIC ASYLUM SCHOOLS, WANDSWORTH.

QUESTION.

General SHUTE asked the Secretary of State for War, Whether he is aware that upwards of £15,000 a-year are expended on the Schools of the Royal Victoria Patriotic Asylum at Wandsworth under the administration of the Executive and Finance Committee of the Patriotic Fund; and, whether he will authorise an inquiry into the management and cost of these Schools by the Royal Commission appointed to inquire into the expenditure of the Wellington College?

Colonel STANLEY, in reply, said, that, as far as he had been able to ascertain, about £15,000 a-year was expended on the schools referred to by the hon. and gallant Gentleman. He was informed that the managing body had taken steps already, by the appointment of a committee, to make a very searching inquiry into this expenditure; that the committee had reported, and had made recommendations which would probably lead to a very material diminution of the expenditure. He did not consider it desirable to authorize an inquiry into the management and cost of these schools by the Royal Commission of the Wellington College.

ARMY — THE AUXILIARY FORCES — VOLUNTEERS UNDER CANVAS.

QUESTION.

Mr. LEIGHTON asked the Secretary of State for War, Whether, considering the inconvenience to Volunteer companies about to go under canvas which arises from want of information regarding the amount of the Government grant, he will be good enough to say whether the grant this year will be two shillings per man per day, or only two shillings and sixpence per man for the whole period of camp service?

Colonel STANLEY, in reply, said, he was sorry to say that he had to give the same answer that he had given a few days ago—namely, that he could not make any definite statement at present. A draft regulation had been framed and submitted to the Lords Commissioners of the Treasury; and his hon. Friend (Sir Henry Selwin-Ibbetson) had just informed him that the regulation had been approved.

MUNICIPAL ELECTIONS (IRELAND).

QUESTION.

Mr. GRAY asked the Chief Secretary for Ireland, Whether, in connection with the fact that by letter, dated the 18th of June, in reply to a letter from the Corporation of Dublin, dated the 22nd of April, he informed the Corporation that the law advisers to the Crown in Ireland were of opinion that the Parliamentary and Municipal Elections Act of 1875 did not extend to Ireland, he is aware that serious confusion and doubts have arisen as to the procedure to be adopted in municipal elections in Ireland, and that the Corporation of Dublin are advised that they must, if this opinion of the law advisers be correct, revert to the procedure with regard to nominations prescribed by the Municipal Corporations Act of 1859, long since repealed as regards England; whether he is aware that a candidate has been nominated by a single burgess, and the nomination in pursuance of this advice accepted as valid, that no effective means appear to exist for testing the validity of nominations, that a candidate may nominate himself, that nominations and elections must take place so rapidly after the occurrence of a vacancy as to be a cause of public complaint, and to deprive the burgesses of reasonable opportunity of selection; and, whether he will take steps during the present Session to assimilate the procedure with reference to municipal and parliamentary elections and nominations in Ireland to that prescribed for England and Wales by the Act of 1875, or otherwise to remove the inconveniences which at present exist?

Mr. J. LOWTHER: Yes, Sir; it is the case that the Law Officers have expressed the opinion that the Municipal Elections Act, 1875, does not apply to Ireland; but the hon. Gentleman is in error in alluding to that Act as the Parliamentary and Municipal Elections Act of 1875, since the Act in question was one passed by a private Member, and has no reference to Parliamentary elections. As to an assimilation of the law in Ireland to that prevailing in England, I should be prepared to introduce a short Bill with that object, provided that I had reason to think it would not lead to discussion and Amendments extending beyond the proposal for extending the English Act to Ireland. If, however, it is to give rise to any controversy, I should not feel justified in attempting to deal with the matter at all in the present state of Public Business.

PRISONS (IRELAND) ACT—CASE OF PATRICK GRIMES.—QUESTIONS.

Mr. GRAY asked the Chief Secretary for Ireland, Whether, considering the verdict of the jury in the case of Patrick Grimes, who died in Armagh Gaol on the 13th ult. that, though the treatment of the deceased in prison was humane and proper,

> "Yet the new scale of diet and attendance to sick in hospital which has deprived prisoners of the new milk diet, and substituted a food not sufficient for the support of life, they highly condemn,"

and, considering that this declaration was based on the evidence of Dr. Palmer, surgeon to the gaol, that the withdrawal of the new milk diet was a serious loss to the prisoners, and that

> "The new scale of diet adopted by the prison board is not sufficient for any ordinary man,"

is it intended to make any change in the dietary in Armagh Gaol and other prisons in Ireland where a similar scale is now enforced?

Mr. J. LOWTHER: The scale of diet in force in gaols in Ireland is the same as that which was, after full inquiry before a Commission, adopted for English prisons. With reference to the particular case alluded to, I was astonished to find—and the House will be very much surprised to hear—that upon the Coroner's Jury there were impannelled six convicted prisoners actually undergoing their sentences in Armagh Gaol at the time. It is, therefore, scarcely to be wondered at that these persons availed themselves of the opportunity of making suggestions upon a subject in which they had so strong a personal interest. The attention of the parties responsible for the constitution of the Jury will be called to the impropriety of the course adopted in impannelling prisoners upon it, especially as, in addition to the manifest disadvantages attaching to such a proceeding, it happens to be in direct opposition to the express terms of an Act of Parliament; and measures will, therefore, be taken to prevent its recurrence.

Mr. CALLAN: Sir, may I ask the Chief Secretary, whether his attention has been called to the evidence of a medical witness at that inquest?

Mr. J. LOWTHER: No, Sir; my attention has not been called to that.

Mr. CALLAN: Then I beg to give Notice that to-morrow I will ask a Question in reference to that subject.

COAL MINES—ACCIDENT AT THE CWM AVON COLLIERY.

QUESTION.

Mr. MACDONALD asked the Secretary of State for the Home Department, If his attention has been called to an accident which occurred at the Cwm Avon Colliery, South Wales, whereby six men were killed by the breaking of a wire rope, which was stated to have been at work for five years; whether it is true that the Inspector of Mines stated at the Coroner's Inquest that it ought to have been removed years ago, and that the engineer stated that he had frequently complained of the condition of the rope during the last two years, but no notice was taken of his complaints; and, what steps he has taken, if any, to punish the employer or agent who continued to use a rope of the character indicated by the engineer and the Government inspector?

Mr. ASSHETON CROSS, in reply, said, no doubt there had been gross carelessness and negligence in this case, and he had some days ago placed the paper in the hands of the Solicitor to the Treasury, in order to see what course should be taken.

ENDOWED SCHOOLS ACT—CONTINUANCE.—QUESTION.

Sir UGHTRED KAY-SHUTTLEWORTH asked the Vice President of the Committee of Council on Education, When he proposes to introduce the Bill dealing with the expiring Endowed Schools Act; and, for how many years he proposes to continue their operation?

Lord GEORGE HAMILTON, in reply, said, he was unable to state when the Bill would be introduced. It would be unadvisable to continue the expiring Acts for one year. He would endeavour to apportion the continuance of any new Act to the natural work it had to do.

BOARD OF CUSTOMS—THE SECRETARY. QUESTION.

Mr. BAXTER asked Mr. Chancellor of the Exchequer, If any steps have been taken to fill up the vacant office of Secretary to the Board of Customs?

The CHANCELLOR of the EXCHEQUER: Yes, Sir; Mr. Smith, the assistant Secretary, will be appointed Secretary.

POOR LAW—PAUPER LUNATICS—CASE OF BENJAMIN HARRISON. QUESTION.

Mr. MUNDELLA asked the Secretary of State for the Home Department, Whether his attention has been called to the inquest held on Tuesday last, on the body of Benjamin Harrison, at the South Yorkshire Pauper Lunatic Asylum, who, according to the verdict,

> "Died seventeen days after his admission, from inflammation of the lungs, accelerated or caused by a fractured breastbone and three broken ribs, but as to where or when the injuries were inflicted there is not sufficient evidence to show;"

and, whether he will cause further inquiry to be instituted to ascertain by whom these injuries were inflicted?

Mr. ASSHETON CROSS, in reply, said, there was no doubt that the affairs of this Asylum ought to be thorougly inquired into, and he had been in communication with the Earl of Shaftesbury and the Lunacy Commissioners on the subject. It was their intention to hold a personal inquiry into the subject; but, as several of the lunatics might have to be examined in their own rooms, it would be impossible to have a public inquiry. The Lunacy Commissioners had declared that due notice should be given to all the relations and friends of the deceased, as well as to other persons interested, and that a solicitor would be allowed to watch the proceedings on their behalf. When the Report was made the Commissioners stated that they would not have any objection whatever to make it public; and if further inquiry should then be considered necessary, he (Mr. Assheton Cross) would take care that it should take place.

ARMY—DESERTION AND FRAUDULENT ENLISTMENT.—QUESTION.

Colonel MURE asked the Secretary of State for War, Whether Her Majesty's Government will direct the Departmental Committee of Officers, at present investigating the system of enlistment in the regular Army, also to investigate the system of enlistment, discipline, and efficiency of the Militia, in order to ascertain if some check cannot be placed on the desertion, fraudulent enlistment, and absence without leave, which exhibit in the last two years respectively 10,000 men in a state of desertion; and 10 commissioned officers, 40 non-commissioned officers, and 15,000 private soldiers absent without leave; and, if not, what steps, if any, are under consideration to remedy this state of things; and, whether the Committee will be empowered to consider and report on the relations at present existing between the regular Army and the Militia, with a view of making the latter force a more certain and efficient reserve in times of emergency?

Colonel STANLEY: The primary object of the Departmental Committee of Officers is to investigate the system of enlistment in the Regular Army in connection with other measures which are subsidiary thereto. The second part of the Question is, undoubtedly, under reference to the Committee; but the general question of the enlistment and discipline of the Militia I do not hold to be necessarily a part of that inquiry. Some of the officers who sit upon the Committee have come home on temporary leave from foreign stations, and it will be desirable that the Departmental Committee should conclude its inquiry within a reasonable time. As regards the question of the Militia, that, of course, has not ceased to occupy our attention; but I am not able to say that it would be a distinct or separate subject to be referred to the Committee. Any steps to be taken to remedy the state of things with regard to desertion must follow the Report of the Committee, as that Report must materially affect the circumstances under which the Militia was enlisted.

POST OFFICE CONTRACTS—THE PENINSULAR AND ORIENTAL COMPANY.

QUESTION.

MR. J. HOLMS asked the Postmaster General, In what proportion the annual loss, which has amounted to over £200,000 a-year upon the postal contract with the Peninsular and Oriental Company, has been shared between India and England respectively; whether any estimate has been made of the loss likely to result from the proposed new postal contract with the Company, and in what proportion this loss is to be shared between India and England; and, when this new contract will be submitted for the consideration of the House?

LORD JOHN MANNERS: In addition to the loss incurred by the Mother Country upon the Peninsular and Oriental Company's contract, estimated at over £200,000 a-year, the Government of India have had to bear a charge which has amounted to about £76,500 a-year on the average between 1868 and 1876. No estimate has been prepared of the loss likely to result from the proposed new postal contract with the Company; but it has been suggested that India should bear 23·84 per cent of the total cost to be incurred under that contract. I should wish to name a day when the contract will be brought under the notice of the House; but in the present state of Public Business I cannot do so. The Secretary to the Treasury will take the earliest opportunity of naming a day available for the purpose.

RAILWAY PASSENGER DUTY.

QUESTION.

MR. W. H. JAMES asked the Secretary to the Treasury, Whether it is the case that the Oystermouth Railway, now the Swansea and Mumbles Railway, has been assessed by the Board of Inland Revenue to the Railway Passenger Duty; and, if not, if he would state on what grounds?

SIR HENRY SELWIN-IBBETSON: Yes, Sir; the railway in question is assessed to that duty.

CANAL BOATS ACT, 1877.

QUESTION.

MR. PRICE asked the Secretary to the Local Government Board, Whether he is in a position to state what progress has been made by the different registering authorities under the Canal Boats Act of 1877 in registering canal boats; whether any Return has been called for as to the number of boats registered under the Act; and, if so, whether he has any objection to lay it upon the Table of the House; and, if not, whether he will direct such a Return to be called for?

MR. SCLATER-BOOTH, in reply, said, that a Question had been addressed to him in the early part of the Session as to the progress made in registering canal boats. He called for information, which had been supplied. It had been laid on the Table, and its substance would be in the hands of Members in a few days. He might state, however, that out of 99 districts registration had been effected in two-thirds. The number of boats registered was 5,000, with accommodation for 22,000 persons.

ARMY—THE 61ST AND 28TH REGIMENTS.—QUESTION.

MR. PRICE asked the Secretary of State for War, Whether it is true that repeated applications have been made to the Military authorities at home that, inasmuch as the 61st regiment was considerably under its proper establishment of subalterns, the vacancies might be supplied by the posting of supernumerary subalterns of the 28th regiment, its linked battalion, which was considerably in excess of its establishment of subalterns; whether it is true that at the time the 61st regiment was four subalterns below its establishment, and that in addition one subaltern was detailed on police duty at Cyprus without being seconded, one subaltern was superintendent of gymnasia at Malta, and consequently struck off duty, and one under orders to be transferred to a regiment in India; whether four officers were eventually transferred from the 28th to the 61st, and whether, at the same time that the transfer was notified, it was also notified that the four officers so transferred would still continue to do duty with the 28th; whether it is not a fact that the transfer has been made upon paper only; and, if he can state why the excess in the one regiment has not been utilised to supply the deficiency in the other linked battalion, especially as the 28th is serving in England and the 61st in the trying climate of Malta?

Colonel STANLEY was understood to say that, owing to the proposal that a Committee should be appointed to inquire into Army organization, it was not required that the officers who were to be transferred from the 28th to the 61st Regiment should be transferred unless vacancies occurred in that corps meanwhile. From that answer it was plain that the transfer had been on paper only.

CAMBRIDGE UNIVERSITY COMMISSIONERS.—QUESTION.

Mr. RATHBONE asked the Secretary of State for the Home Department, Whether he is aware that, notwithstanding the representations made in the Debate on the Universities of Oxford and Cambridge Bill in the House of Commons, and that the House might trust the Commissioners and the University to make such modifications in the terms of residence as should make the Universities more generally available, the Cambridge University Commissioners have, contrary to the wishes and recommendations of the Senate, proposed in the new statutes to fix the present terms of residence; and, whether he will communicate with the Commissioners on the subject?

Mr. ASSHETON CROSS, in reply, said, he did not see how he could interfere with the free action of the Commissioners. He had, however, communicated with the Secretary to the Commission, who stated that no statutes had as yet been made by the Cambridge University Commissioners. It was true that it was proposed the former period of residence required for a degree—nine terms—should be continued; but the Commissioners had still under consideration the propriety of altering the exceptions to the rule.

Mr. Price

PRINTING CONTRACT WITH MESSRS. HANSARD.—QUESTION.

Mr. DILLWYN asked Mr. Chancellor of the Exchequer, Whether any and what steps have been taken with regard to the contract with Messrs. Hansard for printing for the House of Commons, and which will expire in the course of the present year?

The CHANCELLOR of the EXCHEQUER, in reply, said, there had been a good deal of correspondence between the Treasury, the Speaker, and Messrs. Hansard, with regard to the contract for printing for the House of Commons, in order to obtain a more favourable contract for the public; but the correspondence was still going on, and no arrangement had yet been concluded. The correspondence would be produced before any contract was signed.

THE TRANSVAAL PAPERS—"WHITE *v.* RUDOLPH."—QUESTION.

Mr. COURTNEY asked the Secretary of State for the Colonies, Whether he can arrange to publish, in the forthcoming Transvaal Papers, a Copy of the Judgment of Mr. Justice Kotzé, in the case of White *v.* Rudolph, delivered at Pretoria on the 17th of May?

Sir MICHAEL HICKS-BEACH, in reply, said, that he had not received a Copy of the paper referred to; but he would send for a Copy.

RAILWAYS—AUTOMATIC BRAKES.

QUESTIONS.

Mr. J. COWEN (for Mr. J. W. Barclay) asked the President of the Board of Trade, Whether he will procure and lay upon the Table of the House Copy of a Report, dated April 24th 1879, by Mr. T. E. Harrison, C.E., to the North Eastern Railway Company, on the Westinghouse Automatic Brake adopted on the North Eastern Railway; and, whether the Board of Trade will be represented at the experiments with this brake proposed to be made near York by the North Eastern Railway Company on Monday next?

Mr. MACDONALD also asked, Whether it was the custom of the Board of Trade to send representatives to witness experiments with other brakes that were candidates for public favour, especially as the Westinghouse brake was a foreign brake, and not one of home manufacture?

VISCOUNT SANDON: The North Eastern Railway Company have sent us a copy of the Report to which the hon. Gentleman refers, and if he will move for it, I shall happy to lay it on the Table of the House. The Board of Trade will not be officially represented at the brake trials proposed to be held by the North Eastern Railway Company near York; but Mr. Farrer, the Secretary to the Board of Trade, and two of the inspecting officers of railways, have accepted invitations from the Railway Company to be present on the occasion. I need hardly add that, by their presence, no opinion is expressed, or intended to be expressed, as to the comparative merits of the brake which is the subject of the experiment; and that, in the present condition of this question, I should not think it right that the Board of Trade should show any preference whatever for any particular brake.

EGYPT—NUBAR PASHA.—QUESTIONS.

MR. OTWAY asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have any information to the effect that Prince Tewfik, recently recommended by them as Khedive of Egypt, has forbidden Nubar Pasha to return to his country; whether there were any grounds for this arbitrary proceeding; and, whether Her Majesty's Representative in Cairo was cognizant of the order of banishment stated to have been issued by the Khedive? He might also ask when the further Papers promised with regard to Egypt would be ready?

MR. BOURKE: With regard to the first Question, no information has been received that Nubar Pasha has been forbidden to return to Egypt. With regard to the Papers, I can only tell my hon. Friend that the Papers are being prepared and will be produced before long.

MR. OTWAY inquired whether the Government had received any intimation from our Representative in Paris with regard to the matter?

MR. BOURKE replied in the negative. The Government had received no information of Nubar Pasha having been forbidden by anybody to return to his country.

THE LATE PRINCE IMPERIAL.

QUESTION.

MR. CALLAN asked the Secretary of State for the Home Department, Whether he will direct the Chief Commissioner of Police to make arrangements so as to enable Members of the House to attend the funeral of the Prince Imperial, which is to take place on Saturday next, the South-Eastern Railway having intimated their readiness to place a special train at the disposal of the Members who desire to attend?

MR. ASSHETON CROSS: I think that the hon. Member is mistaken as to the character of the funeral. It is to be entirely a private funeral, under the charge of the authorities at Camden House, and the Government have no power to interfere. All I can say is that if a special train goes to take Members of Parliament, no doubt the First Commissioner of Police will take care that every attention is paid to them, and that they are not crowded and inconvenienced so far as he is concerned.

ARMY DISCIPLINE AND REGULATION BILL—FLOGGING.—QUESTIONS.

SIR HENRY HAVELOCK wished to ask the Secretary of State for War a Question of which he had given him private Notice. It was, Whether it had escaped his observation that under the arrangements contained in the Paper circulated the day before flogging could not henceforth be inflicted for the crime of drunkenness on duty under arms in the immediate presence of the enemy; whether it was intended to retain corporal punishment as a deterrent for the commission of this crime; and, if not, whether the right hon. and gallant Gentleman would consider the advisability of abolishing flogging altogether, it being desirable to relieve the Army from the stigma of being the only Army in Europe?——[" Order!"]

MR. SPEAKER pointed out that the Question was of a controversial character, involving matter of argument, and could not, therefore, be put.

SIR HENRY HAVELOCK said, that as there were only a few words more, he might be permitted to finish his Question. [" Order!" " No, no!"] The hon. and gallant Member gave Notice that he would put the Question, with such modifications as the Speaker, in his discretion, might point out.

GRAND JURIES (IRELAND) BILL.

QUESTION.

Mr. D. TAYLOR asked the Chief Secretary for Ireland, If (considering the lateness of the Session and the state of Public Business) it is his intention to proceed any further with the Grand Juries (Ireland) Bill?

Mr. J. LOWTHER: I confess, Sir, that the present condition of Public Business does not make me very hopeful as to the passage of this Bill. It will, doubtless, shortly be necessary for the Government to make an announcement as to what Bills we shall be able to proceed with; and, meanwhile, I will confer with my right hon. Friend the Leader of the House as to the position of this Bill.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTIONS.

Sir JOSEPH M'KENNA asked, If the Banking and Joint Stock Companies Bill would be taken to-night?

The CHANCELLOR of the EXCHEQUER: No.

Mr. BENTINCK asked Mr. Chancellor of the Exchequer, Whether he would have the goodness to state what Business would be taken next week?

Mr. DILLWYN: I beg to ask the right hon. Gentleman the Chancellor of the Exchequer a Question of which I have given him private Notice. A paragraph has appeared in two of the morning papers to the effect that arrangements have been made to carry on a continuous Sitting of the House until the Army Discipline and Regulation Bill has been passed through Committee —a continuous Sitting; and I wish to ask the Chancellor of the Exchequer whether he has made, or is cognizant of, any such arrangement?

The CHANCELLOR of the EXCHEQUER: I have not seen the paragraph to which the hon. Gentleman refers, and I am not cognizant of any such arrangement. What we hope is this—In one sense, we must have a continuous series of Sittings on the Army Discipline and Regulation Bill, because it is now so near the time at which the temporary Act expires that we must postpone all other Business in order to proceed with the Bill. That makes it difficult to answer the Question with great positiveness, because if we are not finished by Monday we shall be obliged to go on with it. I hope the House, in consideration of the state of Business and the period of the Session, will assist us to make serious progress with this Bill this evening, and, in that case, I hope we may be able to complete the Committee to-morrow at the Morning Sitting. We do not propose to ask for a Sitting on Saturday. If, on Monday, we shall have completed the Committee on the Bill, we shall propose to take the Estimates—the Civil Service Estimates—and probably some of the Irish Estimates on that day. Last year, on the 15th of July, we made the request, customary at the end of the Session, that Government Business should take precedence on Tuesdays and Wednesdays; and I propose on Monday, at the meeting of the House, to make a similar proposal. It will be the same day of the year as the proposal was made last year; and, certainly, the Business this year is not at all further advanced than it was last year. I trust the House will be willing to entertain that proposal. I do not ask the House to express any opinion on it at the present time. I only give Notice that I will make the Motion on Monday.

Mr. BENTINCK asked, What other Estimates than these already mentioned would be taken next week?

The CHANCELLOR of the EXCHEQUER: I am afraid I am hardly in a position to say what other Estimates will be taken. If, however, my hon. Friend refers to the Navy Estimates, I may tell him that we do not propose to take them next week.

Mr. GOSCHEN said, progress had been made with the Civil Service and the Army Estimates; but only one night had been devoted to the Navy Estimates, which he never remembered to have been dealt with as they had been this year. Why was it impossible to proceed with them?

Mr. W. H. SMITH exceedingly regretted that it had fallen to his lot to be later than usual with the Navy Estimates; but it was not his fault that they had not been proceeded with. The ground for proceeding with the Civil

Service Estimates next week was that there was an actual want of money on account of the Votes to be proposed. Therefore, there was no alternative but to go on with them. As soon as he could get the opportunity, he should only be too glad to bring on the Navy Estimates.

SIR ROBERT PEEL: I wish to ask the Government, Whether it is to be distinctly understood that the report which has appeared in all the newspapers as to a continuous Sitting to-night is not correct? Of course, that statement has not been made officially, and I presume that the House will not sit beyond 12 or 1 o'clock?

THE CHANCELLOR OF THE EXCHEQUER: I stated that I was not cognizant of any such arrangement as that referred to. As to the particular hour to which we should sit to-night, that is a matter for the convenience and the discretion of the House itself. I hope we shall be able to make good progress with the Bill.

MR. HIBBERT asked, Whether the Valuation Bill would be taken at the Morning Sitting next Tuesday?

THE CHANCELLOR OF THE EXCHEQUER: I would rather not say.

MR. CALLAN would address the Question of the right hon. Baronet (Sir Robert Peel) to the hon. Member for Devonport (Mr. Puleston), since he was understood to have identified himself with such arrangements, and would ask, Whether it had been arranged that the House was to be kept by relays of Members throughout the night?

[No answer was given to the Question.]

ARMY DISCIPLINE AND REGULATION BILL—CORPORAL PUNISHMENT—THE SCHEDULE.—QUESTIONS.

MR. SULLIVAN asked, with reference to the Schedule which had been issued as to persons liable to be flogged for certain special offences, Whether it was intended that every person committing any of those offences, and therefore liable to death, should be flogged, whether he were an officer or not?

COLONEL STANLEY explained that the Paper referred to was a mere Memorandum which he had promised the hon. and learned Member for Taunton (Sir Henry James) he would lay upon the Table to show the offences referred to in the Schedule which the Government intended to propose.

MR. SULLIVAN asked, Was it to be understood that the offences specified would be so punished?

COLONEL STANLEY said, they would be governed by the clause.

MR. SULLIVAN gave Notice that on the clause referred to by the right hon. and gallant Gentleman he would move such Amendments as would secure that where an offence liable to be punished by death was committed there should be no distinction made as regarded the infliction of flogging between an officer and a private soldier.

ORDERS OF THE DAY.

ARMY DISCIPLINE AND REGULATION BILL—[BILL 88.]

(*Mr. Secretary Stanley, Mr. Secretary Cross, Mr. William Henry Smith, The Judge Advocate General.*)

COMMITTEE. [*Progress 8th July.*]

Bill *considered* in Committee.

(In the Committee.)

PART V.

APPLICATION OF MILITARY LAW, SAVING PROVISIONS, AND DEFINITIONS.

Persons subject to Military Law.

Clause 166 (Persons subject to military law as officers).

COLONEL STANLEY said, that several Amendments appeared upon this clause, the general effect of which was to preclude half-pay officers from the operation of the Act. It would be in the recollection of the Committee that when he brought in the Bill he stated that he believed the law in reference to half-pay officers had never been brought into operation. He found there was considerable objection to bringing officers upon half-pay under this Act; and he, therefore, proposed to leave out the words from "full pay," in line 37, page 91, to the end of line 2, page 92, and to insert—

> "And if not otherwise subject to military law, officers on the staff of the army, and officers employed in military service under the orders of an officer of the regular forces."

He thought that would cover the case of all officers who ought to be made amenable to discipline.

Colonel ALEXANDER said, he had the first Amendment upon the Paper; but the statement just made by the right hon. and gallant Gentleman the Secretary of State for War was entirely satisfactory to him, because it conceded the principle he had intended to call attention to—namely, that, in future, no officer upon half-pay should be subject to military law. As the right hon. and gallant Gentleman had conceded the point, he would not take up the time of the Committee by arguing it further, more especially as he spoke upon it at considerable length on the second reading of the Bill.

Mr. CHAMBERLAIN did not rise to speak to the Amendment, but merely to ask a question of the right hon. and gallant Gentleman the Secretary of State for War. He was anxious to know whether he would undertake, after the Sitting that night, to have the Bill reprinted as far as it had been got through the Committee. Amendments had been proposed and accepted upon every clause; and it was a difficult matter to ascertain how the Bill now stood. It would be a great convenience to the Committee if, unless the sanguine hope of the Chancellor of the Exchequer that they would get through the Bill that night were realized, the Bill could be reprinted, showing the Amendments which had hitherto been adopted.

Colonel STANLEY said, he had no objection to place a copy of the Bill, as amended up to the present, in the Vote Office; but he did not think he could undertake to have the Bill reprinted.

Sir ALEXANDER GORDON asked, if there would only be one copy, or would the Bill be printed and distributed to Members?

Colonel STANLEY could not guarantee to have it distributed to Members; but he would place one or two amended copies in the Vote Office for reference by Members.

Amendment *agreed to.*

Mr. CHAMBERLAIN asked for a little explanation respecting a subsequent section of the clause they were now discussing. On page 92, the 4th sub-section was as follows:—

> "Provided that nothing in this Act shall affect the application to such persons of any Act passed by the Legislature of a Colony."

From that Proviso it would appear that the Legislature of a Colony might pass an Act including in its provisions corporal punishment, and that in that case the provisions of the Imperial Act would not apply. He did not quite understand why the Legislature of a Colony should be allowed to override the provisions of an Imperial Act in relation to persons serving Her Majesty under military orders.

The CHAIRMAN asked if the hon. Gentleman proposed to leave out the sub-section?

Mr. CHAMBERLAIN: Yes.

Colonel STANLEY said, it had been understood that the Legislature of a Colony almost always followed, in effect, the Imperial law. A right hon. Gentleman opposite had stated that, in his great experience, he had found that Colonial legislation, in all matters, was very similar to that of the Mother Country.

Mr. E. JENKINS said, the right hon. and gallant Gentleman had not quite understood the point raised. If he would turn his attention to the clause, he would find it there stated that—

> "All such persons not otherwise subject to military law, as may be serving in the position of officers of any troops or portion of troops raised by order of Her Majesty beyond the limits of the United Kindom and of India, and serving under the command of an officer of the regular forces;"

and then it went on to say—

> "Provided that nothing in this Act shall affect the application to such persons of any Act passed by the legislature of a colony."

That was to say, that an officer so serving would be under the Imperial Act; but the Imperial Act reserved to the Colony, which raised and paid Forces, the right of legislating with regard to the discipline of those Forces. He hoped his hon. Friend would be satisfied with the explanation given, and would withdraw his opposition.

Mr. O'DONNELL was not quite clear as to the bearing of the clause, as it now stood, after the explanation just offered. He thought it would be desirable that in the case of Colonial troops or Colonial officers, serving in an Imperial Army, and under Imperial command, and for Imperial purposes, should be subjected to the same common and general discipline that was maintained for the Imperial Forces. He took it that when a war arose in one of our Colonies, and was of such a character as to require the interposition of the Imperial Forces, then, in consideration of the Imperial assistance extended to that Colony, the least we could require from the Colony was that all the Colonial Forces serving under our command should be absolutely subject to the general provisions of our Imperial Discipline Acts. This was a matter of the first importance; for if we were conducting an Imperial war for the defence of one of our Colonies, it was quite intolerable that that Colony, or any portion of it, should have power to conduct the war according to conditions prohibited to the Imperial Forces. He would venture to give an instance. In *The Standard* newspaper of yesterday it was reported by a correspondent, in relation to the recent surprise of the Colonial Forces by the Basutos, that after the defeat the Colonial Forces in the morning rallied, and went out to discover the Basutos; but none of the enemy could be found, except two wounded men, who, the correspondent wrote, "were forthwith shot." The correspondent proceeded to say—

> "It is to be hoped that these wounded Basutos were only shot for resistance to capture; but, I must admit, the Colonial opinion would fully justify the knocking on the head and shooting of wounded natives without more ado."

Well, now, the discipline of the British Army did not, and could not, tolerate the assassination of wounded enemies; therefore, were they to allow an exception to be introduced between the Imperial and Colonial Forces, by which the latter, whom they were protecting and assisting against an enemy, who would otherwise overpower them, should practice acts of atrocity of that description, which would not be tolerated, and could not be tolerated, within the scope of the Imperial authority? He thought that they ought to insist, that where the Colonies asked for our assistance, in cases where the Colonial Forces required to be aided by the Imperial Forces, so long as we were aiding them—so long as we were holding the ægis of Imperial power over them—we ought to insist that they should do nothing which should disgrace the Imperial name. He thought hon. and gallant Gentlemen opposite would recognize that if Colonies could raise troops and volunteers of all descriptions, and could refuse to submit to the authority of the Imperial Discipline Acts, that, then, the door was opened to the very gravest abuse. He could give two other instances directly bearing on the point. He would not be in Order in referring explicitly to a Question addressed to the Secretary of State for War, and to the answer given; but he could put the case hypothetically. A Member of the House, on inquiring from the Secretary of State for War as to the use of dynamite, and some other forbidden engines of war, in a Colonial war, received for an answer—

> "That such Colonial officers using these forbidden engines of war are in no way under the control of the Imperial Government."

Why, there at once a serious difficulty was presented. In the one common Imperial enterprize we could have one portion of the Forces bound by Imperial Discipline Acts, and another portion of the Forces feeling themselves at liberty to have recourse to methods of warfare discarded by this country. They ought to render it impossible for any Force—Colonial or otherwise, when engaged in the same field of war—to adopt any mode of warfare than that recognised by the Imperial Parliament. Again, an instance had just been reported in reference to another body of Colonial Forces. The Cavalry, known as Lonsdale's Horse, had been the subject of comments in this country for their conduct; and yet the Government, through the responsible Minister, had been unable to assure the House that they could in any way control the action of those Forces. The intelligence had just reached home that Lonsdale's Horse, in consequence of their incurably bad conduct, and in consequence of their not being bound by any Discipline Act, had had to be entirely disbanded, as a set of worthless fellows, capable of the most reprehensible practices. They had been accused of thieving, highway robbery, continual drunkenness, disobedience to orders; and yet these men had been raised under a Colonial Act, which did not press upon them any obligation to obey discipline; and because of the inability on the part of their commanders to insure discipline in their ranks, they had had to be disbanded. Now, he took it, that in order to prevent cruelties which would disgrace the Imperial name, in order to prevent want of discipline and bad conduct amongst Colonial Auxiliaries acting with Imperial Forces, they ought to insist that these Colonial Forces must be absolutely subject to our Discipline Acts, the existence of Colonial Acts notwithstanding. He did not think he had said one word more than was required, for this was a point of the very first importance. He thought that where a Colony required Imperial assistance in any grave matter—and for less than a grave matter Imperial assistance ought not to be rendered—the Colony ought to submit to the common discipline imposed on the Imperial Forces.

Mr. SULLIVAN thought they ought to be very careful about interfering with the Home Rule principle on the part of the Colonies. Yet, on the other hand, let them contemplate whether Colonial troops engaged under the Imperial standard could not bring disgrace upon it. He would ask the Government to recollect the recent troubles in Jamaica, where Governor Hennessy came into contact with the Legislature. And it was true, although he was sorry to have to say it, that even in South Africa the locally-raised troops were proved to be more severe and less humane than the Imperial troops themselves.

Mr. PARNELL said, the point raised was one of considerable importance, although he could not exactly say whether it could be dealt with by the omission of the words at present under consideration. Undoubtedly, it might be necessary to secure respect for the Legislature of a Colony, so that their resolutions might not be entirely interfered with by an Act of this House; but, at the same time, they could not shut their eyes to the fact that in carrying out the Imperial policy of the present Government wars were undertaken in different parts of the world; that in those wars the Colonial Forces took a very considerable part; and that if they excepted those Colonial Forces from military law they could not have the same discipline kept up; and they would not have the same respect for the laws and usages of war on the part of those Forces as they would have from their own or Regular troops. At the present moment there was a very good example in Zululand. A war was being carried on there—not a Colonial, but an Imperial war—a war which had been entered into as part of the Imperial policy of the present Government. Of course, he did not mean to say that the Colonists were not entirely in favour of it. They were favourable to it, because it put money into their pockets. It was not, strictly speaking, a Colonial war, but an Imperial war, which would not have been undertaken by the Colonists by themselves. In the first place, they would have been unable to undertake it; and, in the second place, they would never have afforded it. Under those circumstances, they proposed, by the Bill as it now stood, to leave the Colonial troops, who were fighting side by side with the British troops, exempt from the operation of the military law, and subject only to the law of the Colony. That was a very great mistake. He would draw a distinction between a war which was being carried on by Colonial and Imperial Forces combined, and a war conducted by Colonial Forces alone. If the war at the Cape was being carried on entirely by Colonial troops, we would have no reason to seek any right to interfere in the conduct of the war. The Colonists would be responsible for it; they would be responsible for any act committed; and they would be liable for the result of the war. He would, therefore, not include the Forces engaged in such a war under the operation of the present Army Discipline Act; but when they had a war that was being carried on by the Imperial Government, and Colonial Forces were assisting the Imperial troops, then those Forces, whether they were fighting side by side with the Imperial soldiers, or whether they were carrying on the war separately in another district of the country—so long as the war was an Imperial one, the Colonial troops should be subjected to the provisions of the Army Discipline and Regulation Act. Were they going to insure that? If they left out the words proposed, he agreed with the remark of a previous speaker, that they would establish a very serious interference with the Colonial Legislature; that the interference so made would be of too wide and too general a character; and that, perhaps, it might be possible to provide for the matter in some different way. What he would suggest would be this—that after the word "Colony" there should be inserted—

> "Always provided, that whenever Colonial Forces are acting in conjunction with the Imperial Forces the former shall be subject to the conditions of this Act."

He thought that by the adoption of an Amendment such as that they would meet the difficulty of the case which had lately arisen in Zululand. The other day his hon. Friend the Member for Dungarvan (Mr. O'Donnell) asked the Secretaryof State for the Colonies whether his attention had been drawn to the operations of the Colonial Forces in Basutoland against the Basutos, in which those Forces had used dynamite for the purpose of blowing up the caves in which were women and children, and had also lighted fires at the mouths of other caves, proceedings which, at the time, caused great consternation in this country, rivalling, as they did, the exploits of Marshal Beaugeaud in Algiers some years ago. Undoubtedly, our troops could not escape from the odium caused by excesses. Though the Imperial Forces might not be responsible, yet the state of the law was responsible; and so long as these troops were allowed to act in concert with Colonial Forces, and the latter were governed by a different military law, there must be a lax state of discipline. The contagion of example must spread; and if the Colonial Forces committed atrocities towards the Natives—if they applied fire to the mouths of caves, or used dynamite to the caves where Natives had taken refuge, or made use of explosive bullets—of which there was evidence in Zululand—then the Imperial Forces would come to do the same things; and thus the discipline of the Imperial Army would become destroyed, and a bad name become attached to the Army and the country. Therefore, it was an important question by the hon. Member for Birmingham; and to meet it, he would propose to leave out the words at the end of the section, in order to add a Proviso—

> "That wherever the Colonial Forces are acting in conjunction with Imperial Forces, all shall be subject to the military law of this country."

In this way would be met that difficulty which had been referred to as arising in Zululand. The Secretary of State for the Colonies, a few days ago, said the Government had no control over the Colonial Forces, and was not responsible; but he said he would make representations to the Colonial Government, to request that the operations might be carried on in accordance with the rules of war. But this was not sufficient. Let there be a clause that would show every Colony that if they expected aid from the Imperial Forces of the Crown, then the whole Force in the field must be subject to the rules and regulations of the Bill.

MR. E. JENKINS pointed out that the present section referred to officers only; and asked the Committee to consider what would be the position of an officer selected to serve in a Colony, and in command of Forces raised under a Colonial Act? Necessarily, that officer would be governed by the regulations and discipline of the Colony in which he served. Ultimately, of course, his allegiance would be to Her Majesty; but his direct allegiance, in the meantime, would be to the Colony in which he was serving. By this section it was provided that he would remain under those regulations and that discipline, even though he might temporarily come under the command of an officer of the Regular Forces. Surely this was absolutely necessary, and what was desired by the Amendment was really secured. The moment an officer commanded in the Regular Forces, he came within the purview of the Bill; and while in a Colonial Force, he remained under the Colonial Act. The words in the section implied he would come within the purview of the Act; they provided that the persons mentioned were subject to military law as officers, and then the section went on to declare—

> "All such persons not otherwise subject to military law as may be serving in the position of officers of any troops or portions of troops raised by order of Her Majesty beyond the limits of the United Kingdom."

The hon. Member for Meath (Mr. Parnell) said troops raised in Canada or the Cape were not troops raised by order of Her Majesty; but these would come under the Colonial Act, and to these the present Act was not intended to apply. The clause appeared to him a reasonable one, and he hoped the Amendment would not be pressed.

MR. CHAMBERLAIN said, no doubt the last explanation was an admirable one; but it was not consistent with that given by the Secretary of State for War.

The right hon. and gallant Gentleman in answering the Question—for it was only a Question originally—said there were always discrepancies between the treatment of troops serving partly as Colonial and partly as Imperial Forces, and he said usually the Colonial Legislatures deferred to the Imperial law. But he (Mr. Chamberlain) supposed that, in some cases, this deference was not shown; and if not shown in all cases, then it might fail to be shown in any case. Then they would have the Colonial law either more or less stringent than the Imperial law; they would have British troops serving under the same General Officer with Colonial troops; and they would have the British troops flogged under this Bill, while the Colonial troops, for the same offences, escaped scot-free. The hon. Member for Meath had suggested his object might be obtained by retaining the Proviso in the Bill, and adding another thereto; but the effect of that would be to make the Colonial law, in every case where the Colonial Forces acted with Imperial troops, as stringent as the Imperial law. He was not certain that would be an advantage; and he did not think that any English-speaking Colony would adopt the barbarous punishment of flogging, and he was not anxious to increase the severity of Colonial military law. But he would not trouble the Committee to divide, because he was willing to leave the point to the right hon. and gallant Gentleman whether it was desirable to assimilate the Colonial military law; and not having given Notice of the Amendment, he had no wish to take the Committee by surprise. He, therefore, asked leave to withdraw the Amendment.

Sir GEORGE CAMPBELL, in reference to the hon. Member's (Mr. Chamberlain's) remarks upon the different treatment of Colonial and British soldiers, said, if the Amendment was carried, the result would probably be that under both Codes a soldier would be fined first and flogged afterwards. In the allusion made to the war against the Basutos, it should be remembered that those operations were carried on under Colonial authority and by Colonial, not Imperial, Forces. In Natal, however, it was not so; for there the troops were under an Imperial commander, subject to military law. He would like the Attorney General to clear up a doubt as to whether a Colonial Force, raised under such circumstances as the Force known as "Lonsdale's Horse," came under the Colonial administration, or came within the meaning of the paragraph referring to troops "raised by order of Her Majesty?"

Mr. O'DONNELL thought that the argument of the hon. Member (Mr. Chamberlain) would defeat his own object. If the Act should be extended, without limitation, to the Colonies, then Colonial troops would come within the flogging clauses of the Bill; but if, on the other hand, there was this contract that Imperial troops were subject to flogging—a punishment to which Colonial troops refused to submit—this would work in the direction of the policy supported from these Benches—the abolition of flogging altogether. Government would find that they would, in every case, have to make it part of the bargain with the Colony that flogging should be abolished. Besides, the Bill had not yet passed; and it was by no means certain that the flogging clauses would remain in the Bill until the end. The Government might appeal to the country on this issue—flogging in the Army or not? So there was not the slightest reason for the hon. Member to be anxious about the flogging not yet having existence in this uncompleted Bill. In all probability, before the Bill became law those clauses would disappear.

Mr. CHILDERS said, it had recently been the recognized policy to encourage our Colonies to provide for their own military defence, and, under their local Acts, provisions for pay, clothing, promotion, &c. had been made. When the Army was in the field, brigaded with Her Majesty's Army, it became necessary that the whole Force should be under one discipline, and this the Bill would provide. But if some such words as those in the Bill were not introduced, then the Colonial Acts would be inoperative, and the Imperial Government would have to provide for the charge and internal economy of the Colonial Forces. It was necessary, therefore, to put all the Forces under one Act for purposes of discipline, leaving the internal arrangements under the Colonial Acts.

Sir ALEXANDER GORDON said, this difficulty had only arisen through changing the words of the original Act into the words now proposed—"troops raised by order of Her Majesty." Troops raised in the Colony could not be said to be raised by order of the Sovereign, and the clause gave rise to much uncertainty.

MR. O'CONNOR POWER was rather inclined to oppose the withdrawal of the Amendment, for the matter had been very fairly ventilated; and if the discussion was closed now, to be revived on Report, all the ground would have to be travelled over again. He could not quite understand the argument of his hon. Friend, unless he proceeded on the assumption that the discipline in the Imperial Forces was more humane than that in the Colonial Forces, an assumption not altogether proved. The hon. Member for Dungarvan (Mr. O'Donnell) had referred to instances of cruelty practised by the Colonial Forces; but this was cruelty practised towards the enemy, not upon their own men, and how were they to make provision so that such cruelties might not be repeated? This point required clearing up. The Imperial Government did, of course, exercise influence over the Colonial action in that respect; and, indeed, it was not an unusual thing, when any cruelty was practised under the Government of any State in Europe, it was not unfrequently the case that the Government made certain representations to prevent a repetition of such cruelties. This course was followed in the case of Turkey, and in the case of Russia as against Poland. Surely, it was presumable the same thing could be done with the Colonies, even though the Colonial Army were not directly included under the authority of Her Majesty the Queen. He could see that much difficulty would be removed by the Amendment proposed by the hon. Member for Meath.

SIR GEORGE CAMPBELL again expressed a hope that it would be clearly defined by the Law Officers how far the Act was to apply to Colonial Forces.

COLONEL STANLEY said, such Forces could only be raised under the authority of an Act, and an Act required the assent of the Crown. He was sorry if he had misunderstood the hon. Member's (Mr. Chamberlain's) Amendment; but it had been so well answered by the hon. Member for Dundee (Mr. E. Jenkins), and the right hon. Gentleman opposite (Mr. Childers), that it was unnecessary to add more. He looked upon this as a protection clause for the Colonies, and giving to the Colonies such jurisdiction as was necessary. With regard to his general assertion, that Colonial law usually followed Imperial law, of course it was covered by the understanding that in all cases the assent of the Crown was required to local Acts.

MR. E. JENKINS said, Her Majesty was Commander-in-Chief in every Colonial Act of Parliament.

MR. PARNELL was sorry that the Secretary of State for the Colonies was not present. Upon the Colonial law, of course, it was not to be expected that the Secretary of State for War had any practical knowledge, and the Committee were left to the guidance of the hon. Member for Dundee (Mr. E. Jenkins), who had taken a personal interest in the Colonies, and gave the Committee the benefit of his information. Now, the question had been raised with regard to India——

THE CHAIRMAN hoped the hon Member would see he was going beyond the scope of the Amendment.

MR. PARNELL thought that the officials of the Crown in charge of Departments should be present when those parts of the Bill connected with their Departments came on for the consideration of the Committee.

THE CHAIRMAN said, he had not felt it his duty to interpose before; but the hon. Member would not be in Order in discussing the general conduct of the officials of the Crown.

MR. O'CONNOR POWER rose to a point of Order, and suggested that if his hon. Friend thought it necessary that the Secretary of State for the Colonies should explain the point, then his hon. Friend might move to report Progress until the right hon. Gentleman could be present. At the same time, he did not advise such a course.

THE CHAIRMAN said, the hon. Member was at liberty to move to report Progress, if he thought proper to do so.

MR. PARNELL moved to report Progress, not for the purpose of taking a division, but in order to express his opinion with regard to the Officers of the Crown, who were responsible for parts of this Bill. He thought the Under Secretary of State for India, and the

Secretary of State for the Colonies, should be in attendance when parts of the Bill were reached which affected their Departments. Otherwise, the Committee was placed in a very false position; and it was the business of those Gentlemen, who were in receipt of large salaries, to inform the House on questions affecting their Departments. Some Members of the Government appeared to take an interest in the discharge of their duties. The Home Secretary, for example, had always attended when clauses of this Bill were under consideration which related to his Department. On the other hand, the Secretary of State for the Colonies, and the Under Secretary of State for India treated the Committee and the Bill with that lofty disdain with which they seemed to treat every question which was asked of them in reference to their Departments. As the Secretary of State for War, of course, knew nothing about those points, they were driven back upon the opinion of the hon. Member for Dundee (Mr. E. Jenkins), who, although he was acquainted with these subjects, yet could not deal with the matter with the authority of a Member of the Government. They wished to avoid what had happened recently in Zululand, and to provide that when Colonial Forces were serving with British troops in the field, they should be subject to the same laws and regulations as the British troops. It was a very important question, whether these Colonial Forces were exempt or not. Yet they were entirely dependent upon amateur assistance for an explanation of the point.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

Mr. O'DONNELL did not think the presence of the Secretary of State for the Colonies would result in the communication of any information to the Committee. All the Officers of the Government could not be considered to hold important positions; for, in his opinion, the Judge Advocate General and the Chief Secretary for Ireland simply filled sinecure posts, intended for the more ornamental Ministers of the Administration. They were receiving most discordant views from the Treasury Bench. They were now told that the Colonial Forces in the field under Imperial command would be subject to this Army Discipline Bill; yet the right hon. and gallant Gentleman the Secretary of State for War told them, a short time ago, that he was not responsible for throwing dynamite into caves in which were women and children. He should like to know which of these two statements was the correct one?

Motion, by leave, *withdrawn.*

Amendment, by leave, *withdrawn.*

Sir GEORGE CAMPBELL, on subsection 5, suggested that it might be amended so as to read—

> "Officers of the yeomanry, and officers of the volunteers, whenever they are in actual command of men, who are in pursuance of this Act subject to military law."

That would meet the case of trainings; and then he would also add the words—"or when their corps is on actual military service."

Amendment *agreed to.*

Colonel STANLEY moved, in page 92, line 27, before "orders," insert "general or special." His object was to cover a point raised the other day.

Sir GEORGE CAMPBELL said, the clause seemed to have a most serious and important effect. By it a political officer, or a Civil Commissioner, or even an envoy travelling with Military Forces, was liable to be tried by court martial, and that seemed to be very extraordinary. Sir Bartle Frere, according to this clause, if he were with the troops, might be tried by martial law. He would like to know whether it was the intention, if, for instance, a political officer differed from an officer in charge of the troops, that he should thereby subject himself to be tried by court martial?

Colonel STANLEY observed, that this clause placed certain persons in the position of officers.

Sir GEORGE CAMPBELL said, that was all very well; but he wanted it clear, whether officers, such as he had mentioned, were to be tried by court martial?

Amendment *agreed to.*

Sir GEORGE CAMPBELL moved, in page 92, lines 27 and 28, after "Governor General of India," to insert "subject to military law."

COLONEL STANLEY hoped the Committee would not accept the Amendment, for it seemed to him absolutely indispensable that persons accompanying a Force should be under the control of the officer in command. Nothing could be more dangerous than to have a person accompanying the Forces not under discipline and with no recognized status. He himself, and the First Lord of the Admiralty, were subject to Naval law when on board ship; and it would be enforced against them if they violated it. He was quite willing to accept the Amendment of the hon. and learned Member for Oxford (Sir William Harcourt).

MR. CAMPBELL-BANNERMAN pointed out that this might produce very serious results.

SIR GEORGE CAMPBELL wished to understand whether a Governor or Ambassador, travelling in one of Her Majesty's ships, was liable to be tried by court martial, if, for instance, he failed to put out a light?

COLONEL STANLEY said he would be.

MR. HOPWOOD pointed out that there were a number of provisions in the Naval Discipline Act which were very peculiar to which he had, at an earlier period of the Session, called attention, and which the Committee ought not to sanction. Under certain circumstances, even a Colonial Bishop on board a ship commissioned by Her Majesty might, it was said, be liable to be flogged; and, for some reasons, it was to be hoped that a Bishop might be placed in such a position, because nothing could so perfectly demonstrate the extravagance of such law.

MR. PARNELL opposed the Amendment. If they agreed to it, they would require a new scale of punishments. The present scale only referred to officers and soldiers, not to other persons who were now proposed subject to martial law.

Amendment *negatived.*

MR. CHAMBERLAIN said, the early parts of this clause subjected certain persons to military law as officers, followed by a qualification that where such persons were Natives of India they should be subject to the Indian military law. This was one of several clauses which took Native Indians in the employment of this country out of this Bill and relegated them to what was called the Indian military law. He thought that ought not to be, and that the Natives of India ought to enjoy all the benefits of any amelioration of our Military Code, and not be subject to the mercies of vague Articles of War. Englishmen were far too prone to regard persons with black skins as entirely different beings. In the Cape papers he found the Zulus constantly described as "niggers;" and he had often seen similar language used with respect even to the Natives of India. Under these circumstances, the House of Commons ought to be very careful to give Native soldiers exactly the same protection that they gave their own countrymen. He moved, in page 92, line 30, to leave out from the word "seas," to the end of the clause.

Amendment proposed, in page 92, line 30, to leave out from the word "seas," to the end of the clause.—(*Mr. Chamberlain.*)

Question proposed, "That the words proposed to be left out stand part of the clause."

SIR GEORGE CAMPBELL remarked that, so far as his recollection went, the Indian Code was less, not more severe, than that in force in this country.

MR. E. STANHOPE protested against the impression that the Indian Code was more severe than English military law. That was not at all the case; and, if he were in Order in discussing the point, he should be able point out that it was not by any means so severe. He should also like to observe that this exception was favourable to the Natives—as, for instance, a Native of India could be tried by court martial composed partly of Native Indians.

MR. CHAMBERLAIN remarked, that he did not intend to press the matter; but he might point out that the Indian Army was subject to Articles of which they in that House knew nothing; and he should be glad to know whether there was any objection to lay them on the Table of the House?

SIR ALEXANDER GORDON said, the Indian Articles of War were printed and in the Library. The hon. Member was incorrect in another point, for he said that it was the custom of Indian officers, and other public servants, to speak of the Natives as "niggers."

No Native was ever so spoken of, except by some young Englishmen, just come out, who knew nothing of the Service.

Mr. CHAMBERLAIN begged to correct the hon. and gallant Gentleman. His statement was that he had seen it in the Cape papers in reference to the Natives of Africa.

Mr. E. JENKINS observed, that the clause, as it stood, was unnecessary. If the hon. and gallant Gentleman would look at page 97, he would find that it was there stated that—

> "Nothing in this Act shall prejudice or affect the Indian military law respecting officers or soldiers or followers in Her Majesty's Indian forces."

Sir CHARLES W. DILKE understood that his hon. Friend did not wish to divide; but he had no doubt that any modification of the law which was necessary, in consequence of the changes in this Bill, would, as far as circumstances justified, be recommended by the hon. Gentleman (Mr. E. Stanhope).

PRIVILEGE — PROCEEDINGS OF THE HOUSE — NOTE-TAKING IN THE MEMBERS' SIDE-GALLERY.

QUESTIONS. OBSERVATIONS.

Mr. SULLIVAN: I believe, Sir, you are aware that no stranger in the Galleries is allowed, by the regulations of this House, to take notes of our proceedings. The question was asked, with the Speaker in the Chair, the other day, of the Chancellor of the Exchequer, whether it was by his orders, and by his permission, that a new functionary was introduced? It was pointed out that a person was making certain notes with pencil and paper in one of the Galleries, and more especially was noting the words of certain, and only certain, Members of this House. He noted when they rose, and how long they spoke. Mr. Raikes, I wish to ask you whether it is in Order, and whether such a practice should go on? I wish to know, from whoever can tell me, by whose direction this new functionary has been constituted, and with what purpose? I now call attention to the fact that the young gentleman is now engaged in the Gallery on your left. As regards the young gentleman intrusted with this delicate and responsible work, I am sure he has not done it without proper direction, and to him, personally, not the slightest blame can be attached. But we desire to know in what character this proceeding is attempted; why this—I do not want to use the word in any offensive way—sort of espionage is to lead up to any punishment, or to any menace of punishment, to a Member of this House? I now ask, Mr. Raikes, if it is allowable any more to such gentlemen than to any strangers who happen to be present at our debates to take notes of our proceedings? In calling your attention to this serious matter, I would beg to remind you that when complaint was made about the want of accommodation for the legitimate representatives of the Press of the country in this House, barely a year ago, that an application was made, or rather it was suggested, that the representatives of the Press might be allowed to take notes in the ordinary Strangers' Gallery, and that that application or suggestion was refused, on the ground that no one whatever outside the Reporters' Gallery should be allowed to take notes of our proceedings. I have seen gentlemen of importance immediately rebuked by the ushers in attendance, and ordered to give up their papers and pencil. I believe it, Sir, to be unprecedented, and I appeal to you for direction in this matter. I ask, by whose authority this is done? Let the person on whose authority this has been done avow it and tell us his purpose.

The CHAIRMAN: The hon. and learned Member has put a question on a point of Order, which certainly, under ordinary circumstances, is one which should be rather addressed to the Speaker in full House than to the Chairman of the Committee. But I would point out to him that the Rule to which he has referred is one which is not an actual Order of the House, but a recognized Rule, which prohibits strangers from taking notes of the proceedings of this House in the Galleries. I did not understand the hon. and learned Gentleman to say that the person to whom he has referred is a stranger. [Mr. Sullivan: Yes.] But if he is an official of this House he is not a stranger, and his performance of any act in this House must, in the first instance, be presumed to be done with the sanction, and under the authority, of those under whose responsibility such a person is covered. It would be impossible for the Business of this House to be carried on if the subordinate officials of this House were to be, in the first instance, responsible to the House for their conduct. The Speaker is presumably the fountain and source of the action of all the officials of this House; and it seems to me that if the hon. and learned Member wishes to raise any question on the subject, that the question should rather be addressed to the Speaker, than to any Member of this House.

MR. SULLIVAN: In order that we may have the Speaker in the Chair, I beg to move to report Progress. I am simply carrying out your suggestion.

MR. O'CONNOR POWER: I would respectfully suggest that, if possible, the Motion should be accepted without any unnecessary debate. I am sure my hon. and learned Friend has no desire to interrupt the progress of this Bill; and I wish, at the outset, before any discussion on the subject is raised, to point out that if this Motion is assented to, we shall have an opportunity of having an authoritative statement from the Speaker, and have an opportunity of debating it before the Speaker. If hon. Gentlemen choose to exercise it, they have, no doubt, a right to debate the question whether we shall report Progress. Undoubtedly then, however, we shall have a long discussion, and then, probably, have the debate all over again, with the Speaker in the Chair. I merely rise, in the interests of the despatch of Business, to suggest that no undue obstacle should be placed in the way of making an appeal to the Speaker in the Chair.

THE CHAIRMAN: I understand the hon. and learned Member to move to report Progress, not for the purpose of stopping the Bill, but to ask a question of the Speaker; and, therefore, it would be better that he should put on paper the Motion he will make—namely, that I should report Progress, with a view to report the circumstances to which he refers to the Speaker.

MR. SULLIVAN: I will bring up the words.

Motion made, and Question proposed,

"That the Chairman do report Progress, in order that, with Mr. Speaker in the Chair, a question may be raised as to notes being taken by a person, in the Members' Side Gallery of the House, not being a Member of the House."—(*Mr. Sullivan.*)

THE CHANCELLOR OF THE EXCHEQUER: It is clearly desirable that this point should be disposed of without delay, if, by doing so, we do not interrupt the progress of the Bill—that we resume our work when the question is disposed of. I think we ought clearly to understand that the Motion being agreed to, and the point decided, that you, Sir, can again take the Chair, and proceed with the Bill.

THE CHAIRMAN: I must point out that when a special reference is made with the object that the conduct of Members, or any similar matter, may be taken into consideration—after that has been disposed of, the Committee can resume its sitting.

THE CHANCELLOR OF THE EXCHEQUER: I think then, Sir, we should save time by agreeing to the Motion.

Question put, and *agreed to.*

MR. SPEAKER resumed the Chair:—and Mr. RAIKES reported Progress accordingly.

MR. SULLIVAN: Mr. Speaker, with the Chairman of Committees in the Chair I put a question which, I believe, may be more fitly put to you, and more efficiently answered by you. I believe there is a Rule that, except in that portion of our House set apart for the legitimate representatives of public opinion—namely, the representatives of the Press—no one who is not a Member of the House has a right to take notes or records of our proceedings with pencil or with pen and paper. Nevertheless, a Question was put the other evening in the House, calling attention, on the part of the hon. Member for Dundalk (Mr. Callan), to the appearance, in one of our side Galleries, of a gentleman, not a Member of the House, engaged in taking notes—notes, apparently, of a very peculiar kind—namely, notes having reference to the conduct of special individuals of the House. I, myself, have seen and called the attention of the Chairman of Committees to the fact that there was present in the Members' side Gallery—not in the Gallery of the gentlemen of the Press—

a stranger, not a Member of the House, engaged in making such notes and record of our proceedings. I was desirous of knowing, Sir, whether this was not, in the first place, an unusual proceeding, whether done by or without authority? If done by authority, I wanted to know by whose authority it was done; and I wanted to know, secondly, with what purpose or object such proceedings were taken? I, myself, saw the young gentleman so engaged. I at once addressed him, and said—"Of course, if I take any notice of your proceedings in the House, it must not be considered that I am casting any reflection upon you." I thought it right to indicate to him that some notice must be taken of his proceedings. I do not wish to cast any blame upon him. That young gentleman is a stranger to me; but, I presume, he must be engaged in some way about the House, and that he is acting by authority, and I intend to deal with that authority as far as I respectfully may. Sir, the question of reporting our proceedings is, as you are aware, a very old and very ancient consideration in the House of Commons of England. It has been very jealously guarded in the way of bringing men to the Bar of the House, from time to time, for the offence of making a record of our proceedings. The representatives of two of the greatest journals of the country were once brought to the Bar of the House for this offence. If this is a fair report of all that was passing in the House, I certainly should be blind and deaf to it; and, I need hardly say, I should not raise any objection on the technical point of its being written in the Members' side Gallery; but if this is to be an instruction to note any particular individuals in this House—their rising and sitting down, the words they use, the Amendments they speak upon, and how often they speak—then, Sir, I resent it as most offensive. I resent it as being, in some way, as though intended to lead up to censure and punishment; and I resent it as not being the open-handed way of dealing with Members which ought to characterize punishment, or any step towards punishment, by the House. And now, Sir, I respectfully ask you if it is in Order for anyone, not a Member of the House, to sit in the Members' side Gallery, and be habitually employed, with pencil and paper, in making notes and records of our proceedings, and especially with reference to particular Members of the House; secondly, by whose authority this unusual course has been taken; and, thirdly, with what views such course is being taken?

Mr. CALLAN: Mr. Speaker, I wish to supplement these questions. I can fully corroborate the hon. and learned Member who has just spoken. Last week my attention was directed to the matter, and I noticed that the arrangement only applied to the Army Discipline and Regulation Bill. Sir, I remember, before I became a Member of this House, when seated in the Gallery, receiving a peremptory order not to take a note in my book. Since I became a Member of the House, I have repeatedly seen the officers of the Sergeant-at-Arms exercise the same control over others. We have a Gallery for the reporters. We have had a Committee sitting on the question of reporting, and we are now waiting for their final decision upon the Report. It is within the recollection of all the Members of the House that you, Sir, decided that the seats in the side Gallery were seats within the House, and that from them any Member so pleased could address you; therefore, they are as much the seats of hon. Members as the seats upon which we sit. But it is not a stranger who has been taking notes in that Gallery; it is one of our own officers, who has been directed, by some authority in the House, to take notes. It is of no use blinking the question. An attempt has been made to intimidate Members by infringing upon the freedom of debate, and by means of officers of this House appointed, I am sorry to say, not by this House, but by the Chief Clerk, as I understand. Those officers, in communication with some higher officials, have been directed to spy—and it has not been thought derogatory to the officers of this House to set them to spy—upon a particular section of Members of this House. Sir, we resent that; and those of us who are connected with the Press are proud to think that the individuals who have been so deputed are not members of the Press. This charge is made against Mr. Jenkinson and Mr. Le Marchant, two of the Committee Clerks of this House, who have, on Monday and Tuesday of last week, during the time that the Army Regulation and Discipline Bill was in Committee, taken notes of the number and duration of the speeches of Irish Members. ["Hear, hear!"] Am I to take that "hear, hear!" to mean that Conservative Members approve of this system of intimidating Irish Members? Am I to take it that they approve of a Clerk of the House being used as a spy upon the Irish Members? I again say, Sir, that on Monday and Tuesday I saw one of these gentlemen taking notes, and he is again taking them to day. But, yesterday, he was remarkable for his absence, for there was an English question before the House, and no note was taken of the speeches made upon that occasion. I hold it to be a most improper and dishonourable proceeding to allow a Clerk of this House, sitting in the place of a Member——

MR. SPEAKER: I hope the hon. Member does not apply the epithet of "dishonourable" to any officer of the House.

MR. CALLAN: I spoke of the act, and not of the officer. I believe the two Clerks who took the notes are as honourable——

MR. DODSON: I rise to Order. I wish to know, Sir—apart from the question whether the taking a note—[MR. CALLAN: Systematic.] Systematic, or otherwise—is or is not inconsistent with the Rules and practice of the House—whether such an act as that which has been referred to should be characterized as dishonourable?

MR. CALLAN: I am sorry, but not surprised, at the support given to these proceedings by the right hon. Member for Chester (Mr. Dodson).

MR. DODSON: I rise to Order. I gave no support to the act—I expressed no opinion concerning it, except that I asked whether such act—and I ask it again—can be fairly characterized as dishonourable?

MR. SPEAKER: In my judgment the hon. Member for Dundalk is bound to withdraw such words used towards an officer of this House.

MR. CALLAN: I never intended to apply it to any officer of the House, and, therefore, I have no hesitation in withdrawing it. I said that I had not the slightest intention of applying it to any officer of the House.

MR. SPEAKER: I think the time has now come when I ought to interpose in this matter, and to say that if the act in question be dishonourable it is an act done by my authority. If the House will allow me I will state, in very few words, what I authorized to be done; and after I have stated what I have authorized I am persuaded that I shall give satisfaction—at least, I trust so—to every quarter of the House. As the House is aware, according to the practice of the House, Minutes of our proceedings are taken from day to day. These Minutes are published in the Votes as hon. Members see them every morning. Lately—for some time at least—it has come to my knowledge that there has been great delay—unexpected delay—in the progress of the Army Discipline and Regulation Bill through Committee; and on my own responsibility, and for my own information, I desired that Minutes should be taken of the proceedings on that Bill of a more full character than those which are taken from day to day. I may say that those Minutes have no reference whatever to particular Members of the House. They are fair and impartial reports of the proceedings of the House—and I am surprised that any body of Members should suppose that I was having reports taken in reference to particular Members. I should be exceeding my duty if I were so to do. I again say to the House that the Minutes I have had taken have no reference whatever to individual Members of this House—whether Irish, Scotch, or English Members—that they are fair and impartial reports of the proceedings of the House, and taken upon my own responsibility.

MR. PARNELL: Mr. Speaker, I rise merely to ask you a question. You have just now informed the House that, acting upon your own responsibility, you have directed certain Minutes to be taken of the proceedings of the House, and that those Minutes are not in reference to any particular Members, or to any particular section of Members. May I ask you, Sir, as to the nature and extent of those Minutes—whether they constitute a verbatim report of what is said by each Member of the House in the course of the debates upon the Army Discipline and Regulation Bill? And if that be not so, may I ask you to describe to the House the nature of those Minutes?

Mr. SPEAKER: I can only say, in answer to the hon. Member, that there was no idea of making verbatim reports of what is said in the House. I can only describe them as Minutes more enlarged than those which hon. Members see upon their tables every day, specifying the Members who speak.

Mr. PARNELL: All?

Mr. SPEAKER: All.

Mr. O'CONNOR POWER: Mr. Speaker, I think it will be generally admitted that the House has always been jealous of allowing its proceedings to be reported, and I think it will be also admitted that the act which you were pleased to authorize is without precedent in the history of the House of Commons. ["Oh, oh!"] If I am wrong in making this statement, hon. Gentlemen will have ample opportunity of contradicting me. I make that statement again, and believe it cannot be contradicted. At all events, it can be tested by reference to the Records of the House. It appears to me, Sir, that if you felt it would be an assistance to you, in the discharge of your duties as Speaker of this House, to have a more enlarged report of its proceedings, it would have been only fair to the House to have come down and asked for the consent of the House to a proceeding which, however necessary it might be, was without precedent in the annals of Parliament. I must say, as one of the Members of this House, that I do not see, Sir, from the statement which you have been pleased to make——

Mr. SPEAKER: The Committee has reported to the House a question to be submitted to me. That question has been put to the Chair and has been answered from the Chair; and I presume that the proceeding is thus terminated, and that the Committee will resume. If the hon. Member for Mayo (Mr. O'Connor Power), or any other hon. Member, desires to raise a discussion on the proceedings of the Speaker, he is entitled to do so by Motion in the House. That is the proper course to take. The Report of the Committee has been made to the House, and I consider that the question has been fully answered. The House will now proceed to the consideration of the Army Discipline and Regulation Bill in Committee.

Mr. O'CONNOR POWER: Mr. Speaker. I rise to Order. I protest against this.

Army Discipline and Regulation Bill, again *considered* in Committee.

(In the Committee.)

Amendment again proposed, in page 92, line 30, to leave out from the word "seas," to the end of the Clause.—(*Mr. Chamberlain*).

Question again proposed, "That the words proposed to be left out stand part of the Clause."

Mr. O'CONNOR POWER: Mr. Raikes, I beg leave to move that you do report Progress. The reason why I make this Motion is that I am not satisfied with the proceedings of the Committee at an earlier stage—namely, that of reporting a certain matter by you to Mr. Speaker. Well, Sir, the Speaker decided that the Business for which the House was called upon to resume, and the discussion which followed upon the Report from the Committee, had concluded when he had answered the question which was put to him; and I was, therefore, unable to make, as I had intended, a Motion for the adjournment of the House. The hon. and learned Member for Louth (Mr. Sullivan) explained to you the grounds upon which he moved that you do report Progress. I am not entitled to say whether there were other grounds in his mind or not; but I supported his Motion, because I was thoroughly dissatisfied with the discovery which he made of a person engaged in the Gallery in reporting our proceedings. I feel it is a restriction upon the Privileges of the House for any gentleman sitting in the Gallery to report our proceedings, whether authorized to do so by the Speaker or anybody else. I rise to move that Progress be reported, in order that the House may not be deprived of its jurisdiction on a matter unheard of in the annals of the House of Commons, and that it may resume the full exercise of its functions.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. O'Connor Power.*)

The CHANCELLOR of the EXCHEQUER: I hope, Sir, that the Motion will not be pressed, or made the beginning of what I think may become a very unseemly discussion. I must remind the Committee that the position is this. A question was raised by the hon. and learned Member for Louth, upon which it was thought right that the Committee should report Progress, in order to put a question to the Speaker as to certain notes which were being taken in the Gallery. The question was put, and the Speaker has answered it — he has stated that it was by his authority that the notes were taken. I presume we are not thinking of disputing the ruling of the Chair? [Mr. Parnell: Yes.] At the same time, the Speaker pointed out that if any Member of the House desired to dispute his ruling, and had a desire to bring this matter before the House, the proper course for him to take would be to submit a Motion on the subject: and I apprehend that if the hon. Member for Mayo (Mr. O'Connor Power), or the hon. and learned Member for Louth (Mr. Sullivan), or any other Member, wishes to raise the question, the proper action would be to take the course pointed out by the Speaker. I apprehend, however, after what has been said, that there will be no necessity for taking any such step; but this is a matter upon which I do not presume to speak with authority, and, possibly, some hon. Members may take a different view of it. I hope that we may not have the Business which we are upon interrupted by a discussion which may take a very irregular range. We must consider that we are now discussing the clauses of a Bill, and that we are not competent to discuss a question of the character which has been raised.

The Marquess of HARTINGTON: The course which has been suggested by the right hon. Gentleman appears to me not only convenient in reference to the course of Business this evening, but absolutely necessary, from the point of view of common fairness. Nothing can be a more well-known and recognized rule of our proceedings than that, when the conduct of any Member of the House is called in question, it should be done upon Notice, and when the House is fully prepared to take into consideration the matter which is thus raised. I understand, from some observations by which the Chancellor of the Exchequer was interrupted, that it is proposed by some hon. Members to call in question the conduct of the Speaker. Well, Sir, I have nothing to say against the right of hon. Members to take that course; but, surely, it is perfectly obvious that that course ought not to be followed without due Notice? I must say, after the statement of the Speaker had been made, that I expected the discussion would, at all events for the time, have concluded, and that the hon. and learned Member for Louth would at once have risen to express his regret at having inadvertently accused the person whose proceedings have been mentioned of taking one-sided and partial notes in the Gallery, when he had been told that those notes were of a general and impartial character. I cannot help thinking that a decision upon this subject in Committee would be extremely inconvenient, and I think, also, scarcely fair to the highest authority in the House, whose conduct in this matter is impugned—whose conduct ought not to be impugned—and whose conduct, I am sure, no one would wish to impugn—except in the most deliberate and solemn manner.

Mr. CALLAN: The statement of the noble Lord is just one which I should have expected to hear from him, and the course suggested by him is one in which I entirely concur. It is the course which I intended to adopt, with this exception. If you give Notice of bringing a matter of this kind before the House, you lose your right of privilege and precedence. Therefore, I intended, before raising the question, to give private Notice to the Speaker, and the other parties who may be conceived to be interested in the case. It is quite evident that Notice will be given; but I advise my hon. Friends to give private Notice, so as not to lose their right of precedence, and of bringing it forward as a Breach of Privilege. But, pending that decision, I ask, is it respectful to this House, that any portion of the House itself, set apart exclusively for Members of Parliament, and laid down by the Speaker himself as a portion of the House from which hon. Members can speak—is it right and proper that we should have, what we conceive to be, a kind of intimidation and restriction on the freedom——

Colonel STANLEY: I rise to Order. I ask whether, after the Speaker has, from the Chair, stated that the course to which the hon. Member refers is one taken by his directions, it is right for the hon. Member to refer to it as "a course of intimidation?"

Mr. CALLAN: I make no imputation whatever on the Speaker.

The CHAIRMAN: When the right hon. and gallant Gentleman rose I was about to point out to the hon. Member for Dundalk that the word "intimidation" is one which is never allowed in this House to be applied to any Member of this House. Do I understand the hon. Member to say it is not so applied?

Mr. CALLAN: It is not so applied. I said it was conceived by the Members of the House that the course complained of had been taken for that purpose. I may say that nothing of the kind would intimidate me. But pending this question, which is to be raised at an early date, I ask, is it not right that the party who is conceived to have offended should be asked to withdraw from the portion of the House which is the property of Members?

The CHAIRMAN: I beg to point out to the hon. Member that the question which he now proposes to put is one which should have been put at an earlier stage of the Business of the House, and not in Committee. It is not in the power of the Chairman of Committees to exercise the jurisdiction to which the hon. Member refers.

Mr. CALLAN: I believe that if a stranger—a bucolic farmer from the Agricultural Show, for instance—were to sit down in that Gallery, it would be the duty of the Serjeant-at-Arms to remove him?

The CHAIRMAN: The two questions are entirely and wholly dissimilar. The authority of the Chairman of Committees can unquestionably be exercised with regard to strangers; but when an official is performing a duty to which he has been appointed by the highest authority in the House, it is clearly not within the power or the duty of the Chairman of Committees to interfere.

Mr. PARNELL: The advice of the noble Lord the Leader of the Opposition—I do not want to enter into the debatable question whether he is Leader of the Opposition or not—is one which we might be better disposed to take if it was in accordance with the Rules and precedents of the House, and if it had not come from one who has shown himself, during the discussions of this Bill, a deliberate partizan of the Government in attempting to carry it through the House with all its imperfections. He has upon several occasions shown himself to be such a Government partizan—such a Government supporter—that, at first sight, any advice that came from him must be more or less tainted or discredited. How can we go on with this thing hanging over us? It will be in the recollection of the Committee that the Speaker left the Chair without giving an opportunity to Members of this House to raise the question of Privilege, which they desired to raise. This is a question of Breach of Privilege by the Speaker of this House.

The CHANCELLOR of the EXCHEQUER: I must ask you, Sir, whether that is language which ought to be applied to the Speaker? The words were "Breach of Privilege by the Speaker of this House."

The CHAIRMAN: The words appear to me to be extremely improper, and such as I trust the hon. Member, upon his attention being called to them, will be prepared to withdraw. I did not understand the hon. Member absolutely to impute to any Member of the House direct Breach of Privilege. What I understood the hon. Member to say was, that it was a question whether such Breach of Privilege had been committed. I am not prepared to say that, in putting the question in this form, the hon. Member is directly out of Order; but I think he will see, on reflection, that the words were such as he would be sorry to have used in reference to a Member of the House.

Mr. PARNELL: I said this was a question of Breach of Privilege, and we feel that we cannot go on any longer with the discussion of this Bill without having the decision of the House upon the question. The Speaker of the House is no more than the servant of the House. He is for certain purposes—on questions of Order, and so forth—the mouth-piece of the House; but the Speaker has no original jurisdiction whatever. He has no jurisdiction but what is given him by the existing Orders, Rules, and Regulations in this House; and any Member has at any time the right to call in question the conduct even of you, Mr. Raikes; and any Member of this House is entitled to call in question the conduct of the Speaker of the House. And we do call in question the conduct of the Speaker of the House, and we do impugn the conduct of the Speaker in having directed——

MR. DODSON: I rise to Order. I wish to submit to your judgment whether, in Committee of the House on this or any other Bill, it is in the power of hon. Members to discuss the conduct of the Speaker of the House, or the Rules and Forms of the House?

MR. PARNELL: May I explain? ["Order!"]

THE CHAIRMAN: I point out to the hon. Member that he may speak to Order after the question which has been addressed to the Chair has been answered. The right hon. Gentleman the Member for Chester (Mr. Dodson) has asked me whether the hon. Member for Meath would be in Order in impugning the conduct of the Speaker? I have just pointed out to the hon. Member for Meath that such a course would not be in Order. A Committee of the House is not the place, and this is not the occasion, when such a course could, with propriety, be taken; but I must also point out to the hon. Member and to the Committee that the practice of endeavouring to raise questions as to what has passed in the House on the Motion to report Progress is one which ought to be avoided. The hon. Member and other hon. Members have alleged, as reasons for reporting Progress, their dissatisfaction at the course taken in the House, and I have not felt it my duty to stop them. The reference, however, to what has taken place in the House as a matter of discussion would be entirely out of place and out of Order.

MR. PARNELL: We wish to impugn the conduct of the Speaker of the House, before the House, and with the Speaker in the Chair. We do not wish to take that step in Committee, and I am aware that the Committee has no authority to take such a course, or entertain such a proposal. We wish the Committee to consent to the Motion to report Progress, in order that we may raise the question with the Speaker in the Chair. The gentleman alluded to sits in the Gallery, and, as I am informed, has resumed the practice. Whether that information is correct or not, we shall continue to do our duty under circumstances of great disadvantage as long as that one-sided practice is continued.

LORD JOHN MANNERS: I rise to Order. The hon. Gentleman asserted that the practice to which he objects is one-sided. He says that, having distinctly heard Mr. Speaker say that it was impartial and applied equally to all Members. I wish to know whether the hon. Member is in Order in making such a statement?

THE CHAIRMAN: The observation of the hon. Member is one which I cannot say is out of Order. The hon. Member expressed his opinion as to this practice, and so long as it is expressed in Parliamentary terms I cannot say it is out of Order. At the same time, I point out that it cannot be considered respectful to the Committee to indulge in the tone which he has throughout the whole of his address manifested, in declaring himself openly against the decision of the highest authority of the House.

MR. PARNELL: But there is a still higher authority, and that is the House itself. We desire to submit to the House, and we are willing to abide by its decision, a question of importance to hon. Members. We ask from the Chancellor of the Exchequer that he will give us an opportunity, without further delay, to take the opinion of the House upon a question which is of the highest importance to us in the discharge of our duties. I presume the young man now taking notes takes down the name of each Member who rises; but, so far as I know, he does not take down what they say. I submit that that practice is surely derogatory to the power that we enjoy as Members of a Committee of this House. It renders it exceedingly difficult to us to discharge our duties, and it renders us exceedingly liable to misapprehension. This practice is not sanctioned by any Rule or

Order of the House—on the contrary, it is directly forbidden. No outside persons can take notes of the proceedings of the House. And if we allow such a practice to continue now it will grow into a precedent, and, as a precedent, it will become the rule of Parliament. We desire that the House of Commons should, at once and without further delay, be afforded an opportunity of pronouncing an opinion, "Yes" or "No," as to whether the practice which the Speaker has directed is an authorized practice or not, and as to whether it is according to the law of Parliament. This is a very simple request. The absurd opposition of the Chancellor of the Exchequer and of the Leader of the Opposition is really standing in the way of the conduct of Public Business, and, but for this, we might have had the opinion of the House long ago. We are told we can raise this question at the proper time; but when will be the proper time? If it is not a question of Privilege, no hon. Member would have time to raise it during the Session; because Government have announced their intention of annexing all the Tuesdays and Wednesdays during the remainder of the Session. Now is the proper time for raising this question; and we ask the Government to agree to the Motion to report Progress, in order that, with the Speaker in the Chair, we may put the question to the House.

Mr. SULLIVAN: The noble Lord the Leader of the Opposition has expressed his astonishment that I, who brought forward this question, did not rise on hearing the explanation of the Speaker, and express my regret at having made use of the term "one-sided." I wish to make my position in this matter clear. I desired to bring this question before the Speaker, without making any reflection upon the conduct of the young gentleman alluded to. I move in this matter entirely from a Parliamentary point of view. With reference to the remarks of the noble Lord, I beg to say that I did rise to express regret, but found that the Speaker had left the Chair. I should be glad that we should have an opportunity of discussing this question, but not necessarily immediately. And I have no doubt, if the Leader of the House could satisfy my hon. Friend that he would not be precluded from raising it as a matter of Privilege, that the Motion might be withdrawn. The question is a grave one. I believe that a precedent has been established to-night reflecting on the freedom of Parliament; but I appeal to my hon. Friends not to hasten on a discussion of the subject to-night.

The CHANCELLOR of the EXCHEQUER: There will be no difficulty at all in raising this question in a way which will give it precedence of other questions. I believe I am right in saying that it is so. At all events, no objection will be raised to such a course on the part of the Government. I wish to impress upon hon. Gentlemen the hope that, now they understand that is to be the course taken, they will not waste time by further discussion of that point. We agree that the matter shall be brought forward as a question of Privilege, and it will, therefore, take precedence.

Mr. GRAY: I think we ought to be satisfied with the statement of the Chancellor of the Exchequer, if the right hon. Gentleman will give us his assurance that the objectionable practice will be discontinued until the decision of the House be given. If that cannot be done without the authority of Mr. Speaker, then I trust that my hon. Friend will persevere in his Motion to report Progress. We have an objection to be spied upon in this way. And we are not inclined to wait until to-morrow to have this matter decided. If, however, the practice is at once discontinued, I agree that the matter should be laid before the House to-morrow, and that the Motion to report Progress should be withdrawn.

Mr. O'DONNELL: I am perfectly sure that it is within the knowledge of the right hon. Gentleman that a considerable body of Members of the House object to the presence of this unprecedented reporter. We trust that the right hon. Gentleman the Speaker of the House of Commons—whom we all so much respect—will withdraw this reporter, pending the decision of the House. I do not, in making this suggestion, even imply that it is wrong; but everyone will agree that it is unusual; and, pending the decision of this unusual matter, I trust that the reporter in question will leave the Benches of Members of this House.

MR. CALLAN: I think I may ask my hon. Friend to withdraw his Motion to report Progress, for this reason—that since we alluded to the fact that the officer of this House had returned to his place I find that the official has disappeared. I suggest to my hon. Friend that the Motion should be withdrawn, on the distinct understanding that it will be renewed when next that official takes his place in the Gallery.

MR. O'CONNOR POWER: I have noticed that the noble Lord the Leader of the Opposition has ventured to give advice on many occasions, and that his advice has been rejected. He has joined in the appeal addressed to me by the right hon. Gentleman the Chancellor of the Exchequer; but I wish to point out that I shall not accept suggestions because the Leaders on both sides of the House have recommended them. Both have endorsed the same comments, and both agree that we are wrong. But this is a question of Order. I have acted throughout—as I shall be prepared to show on a future occasion—thoroughly in accordance with precedent and strictly in Order. I have been appealed to to withdraw my Motion to report Progress, on the ground of Order. I reject that appeal, because it is recommended to me on the ground that my Motion is not in accordance with Order; but I am willing to withdraw it, because I believe it will be more in accordance with the convenience of the Committee that I should do so. On that ground I will ask leave to withdraw the Motion. But I must protest against the disorderly character of the proceedings that seem to find favour with certain hon. Gentlemen. I contend that it would have been right to have gone on with the question of Privilege. The highest authority in the House is compromised in that subject; for, without putting the Motion that "I do now leave the Chair," he left the House. I am in a peculiar position—I have shown that, technically, I am in Order; but I think it better that the Rules of Order should be subservient to the convenience of the Committee. There has been already—or it is said that there has been—so much disorder on both sides of the House that I think we may appeal to Mr. Speaker that as this question has been raised—and it is one on which differences of opinion may arise—whether it would not be courteous to withdraw this obnoxious person until the House has assented to the arrangement? If my hon. Friends are correct in saying that this objectionable person has been withdrawn—of course, for other reasons than the considerations that have been pressed upon me, and not at all upon the ground of Order—I shall ask leave to withdraw my Motion to report Progress. It is difficult to talk to a great many persons at the same time on the same points; but I wish to point out that in asking leave to withdraw my Motion to report Progress I do so for the convenience of the Committee. I say that, because I am informed that that gentleman has been withdrawn from the Gallery; but if the gentleman re-appears in the Gallery I shall hold myself at perfect liberty to renew my Motion.

MR. PARNELL: I do not wish any misunderstanding to arise on the form in which this Motion is withdrawn. The right hon. Gentleman the Chancellor of the Exchequer stated that he believed that if the Motion were withdrawn this question could be raised at the commencement of our proceedings to-morrow as a question of Privilege. That I believe is the manner in which the Chancellor of the Exchequer expressed himself; but I wish to ask him, supposing his belief is not well-founded, and that we cannot raise this Motion at the commencement of our proceedings to-morrow, will the right hon. Gentleman afford an opportunity for its being raised?

THE CHANCELLOR OF THE EXCHEQUER: Yes, Sir; we will give the opportunity referred to by the hon. Member.

Motion, by leave, *withdrawn.*

Amendment again proposed, in page 92, line 30, to leave out from the word "seas," to the end of the Clause.

Question again proposed, "That the words proposed to be left out stand part of the Clause."

MR. GRAY: I beg leave to move that the Chairman do report Progress, as the young gentleman has re-appeared in the Gallery. So far as my powers go, I shall endeavour to prevent the continuance of the discussion of this Bill in Committee while this young gentleman remains in that portion of the House reserved to Members, and takes no subordinate place.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Gray.*)

Major O'GORMAN: I want to ask a question which will require a simple answer only. Sir, is any Member of this House, including Mr. Speaker, privileged to seat in this House—in the very body of this House—a stranger?

The CHAIRMAN: The question can be easily answered. No Member of this House, including Mr. Speaker, has any power of seating a stranger in the body of the House. But the person to whom the hon. Member refers is an official of the House, and is charged, in performance of his duty, to take a place in some part of the House.

Mr. SULLIVAN: May I suggest that there are parts of the House set apart for Members, and that there are other parts from which they cannot speak or vote, and that it is to the former portion that this gentleman has access. I appeal to the hon. Member for Tipperary to withdraw his Motion on that ground. I think we can better accomplish the object we have in view, and save ourselves from misconception, if we adopt the course of raising this matter as a question of Privilege; but I give fair Notice that I shall spy strangers in the Gallery so long as this young gentleman remains.

Mr. O'DONNELL: Hon. Members have not touched upon one side of this question, for it should be remembered that this person is not a stranger. With great deference to your ruling, Sir, I believe the officers of the House stand either below the Chair or in the Stranger's Gallery; they might find places amongst the gentlemen of the Press, and I do not know why they might not shelter themselves in a still more sacred precinct. But we object, Sir, to this sort of reporter being placed in the seats of hon. Members. Any hon. Member who chose might take his seat in the Gallery, and those seats should not be occupied by officials of this House. If this man is still in the House, we do consider, Sir, taking the views we do, that there is very scant courtesy being shown to Members of this House. We are perfectly desirous of proceeding with Business; but after the excitement that has evidently been raised on this subject, I do think that it is surprising to find this person still taking notes of our proceedings. There are two sorts of reports—a fair official report, taken at the Table of the House, and the reports of the Press; but we do object to this amateur sort of reporting. I fully sympathize with the position taken by the hon. Member for Tipperary; and I do not think he would be doing his duty unless he persisted in his Motion.

Mr. WHITBREAD: I wish to suggest to hon. Members that we should uphold our dignity in approaching this question by treating it in a calm and formal manner after fair Notice. The course of spying strangers may be open to some misconception out-of-doors, if adopted by hon. Members. The part of the House to which reference has been made has, within my knowledge, been often used by officials of this House. I can call to mind having seen the Chaplain and a number of Clerks sitting there; and I think, so far as I can see, we should not mix up any question of this sort with a really secondary consideration. As far as my experience goes, a Clerk of the House would be perfectly in Order in being there, so long as no inconvenience was caused to hon. Members. That being the case, and considering the heated character of this discussion, would it not be better for hon. Members who wish to impugn the action of the highest authority of this House to do so in a calm and temperate manner, after we have had time to consider the precedents? I do think that hon. Members would consult our dignity, if they would allow us to proceed with the Business before us. There is no question of reporting our speeches outside, or of any communications being made to strangers. The question is entirely one of Privilege, and we ought to discuss it in a proper spirit.

Mr. CALLAN: We all cordially agree with the advice addressed to us by one whom we so much respect, and who is such an authority in this House as the hon. Member who has just spoken. I think it has been assumed that it is a mistake to bring this matter forward in the manner it has been without previous Notice to Mr. Speaker. I had intended to give private Notice of it; but, Sir, as attention has now been called to the matter, I hope that no hon. Member will espy strangers, but will allow our proceedings to be reported. If strangers were spied, we should be sitting here *in camera*—a mode of procedure we so strongly objected to yesterday in the case of even a small Committee. I hope that the hon. Member for Bedford (Mr. Whitbread) will, however, use his influence to endeavour to obtain a discontinuance of this objectionable practice as to this young person. It is a small concession, and so eminently one of good feeling towards Members of this House, that I think the Chancellor of the Exchequer should rise in his place and add the influence of his position to ours, and join in the suggestion which has been made, that this objectionable practice should be discontinued pending the decision of the House.

MR. O'CONNOR POWER: I do not want to take the responsibility of initiating these proceedings. The knowledge of Parliamentary procedure shown by the hon. Member for Meath (Mr. Parnell) and the hon. and learned Member for Louth (Mr. Sullivan), and other hon. Members, do not make me disposed to take the initiative.

MR. CALLAN: Though I suggested to the hon. Member for Mayo that he should withdraw his Motion to report Progress, in order that we might proceed to Business, pending the decision of the House to-morrow upon the point, yet I will appeal to the hon. Member for Tipperary to persist in his Motion to report Progress, even at the risk of delaying important Business, if the practice, which we cannot but regard as anything else than an attempt at terrorism, is persisted in.

THE CHAIRMAN: The word "terrorism," used by the hon. Member, is entirely out of Order, as applied to the conduct of any hon. Member of this House.

MR. CALLAN: I stated that it would be regarded as an attempt at terrorism.

THE CHAIRMAN: I must point out that the hon. Member must withdraw the expression.

MR. CALLAN: I withdraw it; but I do feel that the person in the Gallery, spying on my proceedings here under exceptional circumstances, is a proceeding that certainly must influence me, and exercise a deterrent influence upon me in my place here.

MR. DILLWYN: I now rise respectfully to appeal to the Chancellor of the Exchequer, whether it would not be desirable that he should suggest to the highest authority of the House that this person should be withdrawn from the Gallery until such a time as the House should arrive at a decision upon the matter? What is the position in which we are now placed? Circumstances have taken place, and the action of the highest authority of the House has been called in question. I am not going to state my own opinion—we shall all have an opportunity of discussing the matter at the time to which it has been postponed. The question of Privilege has been raised, and it is agreed now that it shall come on to-morrow. Pending that discussion, is it desirable that the proceeding in question shall go on? Whether right or wrong, it is a question affecting the Privileges of this House—a very serious and large question—which I do not wish to express any opinion upon now. It may prove a very serious matter to call in question the action of the highest authority of this House; and the question is one of such a serious nature that it is upon all hands agreed that we shall be acting rightly in postponing it until to-morrow. Will it not be better—as there can be no great object in continuing the services of this person—that the practice should be discontinued in the meantime? I will venture to suggest to the Chancellor of the Exchequer that he would facilitate the proceedings of the House, which we all wish to do, if he will lend the great weight of his influence to the suggestion which has been made that this practice should be discontinued.

THE CHANCELLOR OF THE EXCHEQUER: I do not see, Sir, in what way I can interpose in this matter. The question which has been raised was originally addressed to Mr. Speaker, and Mr. Speaker informed the House that the gentleman who had been introduced into the Gallery was acting under his orders, and that he was employed in taking certain notes for the private information of Mr. Speaker himself. It has been known, apparently, for some time, that this practice has been going on; because the hon. Member for Dundalk (Mr. Callan) called attention to the circumstance by a Question, and had communications with Mr. Speaker on the subject. Mr. Speaker has told us that he considers that he has authority to employ this gentleman in the way in which he has been employed. It is, as I understand, the intention of some hon. Gentlemen to bring forward a Motion to the effect that Mr. Speaker ought not to take that course, and when the time comes—as it will to-morrow—for that Motion to be made, it will be made and discussed. At the present moment, however, we are quite incompetent—and I do not think that it would be courteous—to call back Mr. Speaker to make this proposal to him. As to making such a suggestion privately, I must altogether decline to do so; for to take such a course would be to commit an imprudence. If hon. Gentlemen think it necessary to divide the Committee upon the question of reporting Progress they can do so, and it will then be seen whether the Committee desire that Progress should or should not be reported. I venture to submit that hon. Members are entirely out of Order in discussing now the details of the matter of which I have been speaking.

Mr. GRAY: I wish to substitute a Motion, which I will read to the House, for the one which I have already moved. It is—

> "That the Chairman do report Progress, and ask leave to sit again, in order to report to the House that an Official of the House is engaged in taking notes of the Proceedings of the Committee, without the authority of the House or of the Committee, from a place reserved for Members of the House, and that, in consequence, the Proceedings of the Committee are interfered with."

A great breach of Privilege has been committed; and it is desirable that a Member should not be liable to misrepresentation in discharging what he considers to be his duty. I think there has been a certain amount of misunderstanding on this matter; it is my belief that it was agreed on all sides that it was a great inconvenience for the matter to be raised now, and that it would be better raised to-morrow. I, for one, understood that, in the meantime, the objectionable practice would be discontinued. I find, however, that I am mistaken in that belief; and I am now desirous of placing upon the records of the House the fact that one Member of this House, at least, objects to the transaction as a breach of Privilege.

The CHAIRMAN: Does the hon. Member propose to substitute this for his former Motion?

Mr. GRAY: Yes.

Motion made, and Question proposed,

> "That the Chairman do report Progress, and ask leave to sit again, in order to report to the House that an Official of the House is engaged in taking notes of the Proceedings of the Committee, without the authority of the House or of the Committee, from a place reserved for Members of the House, and that, in consequence, the Proceedings of the Committee are interfered with."—(*Mr. Gray.*)

Mr. O'DONNELL: While I originally agreed with the Motion for simply reporting Progress, as a protest against the continuance of this proceeding, I cannot agree to the Motion which has been now made by the hon. Member for Tipperary, for I think that Motion distinctly commits the Committee to the re-opening of the whole question which we have been considering, and upon which both sides are agreed that the consideration should be reserved until to-morrow. Although I was in favour of reporting Progress, in order to call attention to the continuance of this proceeding, I am not in favour of any further step tending regularly to re-open this question. I shall, therefore, suggest to the hon. Member for Tipperary that, in deference to the views such as we have just heard from one of the most respected Members of this House, he should not persist in his protest against the continued presence of this person, but should let us go on with the Bill for the rest of the evening. I think, however, that it is not courteous to continue this proceeding to which objection has been taken when so much has been said with regard to it. But if it is continued, we must do our best to put up with the inconvenience and proceed with the discussion.

Major O'GORMAN: I wish to say one or two words in defence of this unfortunate official who now remains in this House taking notes. It is his duty—he is here by the order of the Speaker; and he cannot retire without orders. But I must say this—that it is disrespectful to the House on the part of the Speaker, and after what has taken place, not to remove this person from the Gallery.

Mr. O'CONNOR POWER: If I may make a suggestion to the hon. Member for Tipperary it is that he should allow his Motion to be negatived. If he allows his Motion to be negatived without going to a Division, his protest will be recorded, and will appear upon the Journals of the House, and that will be sufficient.

Mr. PARNELL: I think that the course taken by the right hon. Gentleman the Chancellor of the Exchequer all through the proceedings has been unfortunate. If he had agreed at the commencement to allow Progress to be reported, we should have had the question decided a whole hour ago, and we should now have been proceeding with the clauses of the Bill. As the Chancellor of the Exchequer has deliberately wasted public time—an observation very frequently applied to us—we can only make the best of a bad business, and after the protest—the very proper protest—of the hon. Member for Tipperary has been placed on record, I think we shall have to submit for the rest of the evening to the inconvenience of the unauthorized presence of this gentleman in the Gallery. If we are to be afforded an opportunity to-morrow of discussing the whole question, I think, under all the circumstances of the case, we may allow the Motion to be negatived, and proceed to discuss the clauses of the Bill.

Mr. CALLAN: The Government have not acceded to the course which we have suggested, and I cannot but think that the silence of the Government shows some kind of complicity on their part in this objectionable course of procedure. There are rumours afloat as to the use which has already been made of the notes taken up to this time. It is rumoured—and I wish to give public notice of the rumour, in order that, if not true, it may to-morrow receive a full and ample contradiction — that the superior authorities of this House, other than Mr. Speaker, have met and considered, and that a form of indictment has been drafted recording the number of times certain hon. Members have spoken, and stating that their conduct amounted to obstruction of the Business of the House—a course which is in contravention of the ruling of Mr. Speaker two years ago. It is also rumoured—I will not say Mr. Speaker, but that the high officials of this House have made use of these notes—I will not say that they conspired, but they have met together and consulted as to how they can best utilize the information which they have obtained from the lists that have been made, and that the form of the indictment has been already drawn up for the purpose of being utilized, if occasion shall arise. There is also a rumour that the Government have complicity in these proceedings, and also that the superior officials of the House have already utilized the information for the purpose of entrapping Irish Members into some breach of Order. Unless contradicted to-morrow, I think these rumours may be taken as facts.

Major NOLAN: As this practice will probably go on until Mr. Speaker takes the Chair to-morrow, I should like the Committee to know what is really being done. I have made it my business for the last half-hour—being at liberty to go to what part of the House I like—to sit next the official who is engaged in taking notes, and to observe the manner in which he takes them. It seemed to me that his proceeding was an entirely novel one. I saw it stated in the Press the other day that certain Members had spoken so many times, and I certainly was surprised to find that I was credited with having spoken 18 times; but now I have seen how the notes are taken I can understand the matter. If, for example, the hon. Member for Meath got up to address the Committee he was credited with speaking once. If the hon. Member for Mayo got up to interrupt him for a moment and he got up again, being still in possession of the Committee, this was marked down as a second speech. You Sir, will perhaps then call the hon. Member for Meath to Order, and the hon. Member explains. This is put down for a third speech, and so it goes on. I think it necessary to point this out; because, when we are discussing this matter to-morrow, it is well that we should know the system upon which these notes have been taken for some time. I do not consider that the system upon which they are taken is a candid one. It is not a nice thing to have to go and sit next an official of the House to observe what he is doing. I have not the slightest fault to find with the official who was taking the notes, and who was, no doubt, strictly obeying orders; but the whole circumstances are unpleasant. I have, to the best of my ability, informed the Committee of what I believe is being done.

It is, however, a very miserable thing for us to have to go into.

Mr. GRAY: I do not wish to occupy the time of the Committee unnecessarily, and I do not think it would be just to take a Division upon my Motion unless the Committee should desire it. If my Motion is put and negatived by the Committee it will go upon the records of the House, and I shall be quite content. I do not wish to trouble the Committee unnecessarily; I only wish to place a protest on this matter permanently on the records of the House.

Mr. PARNELL: I am much obliged to the hon. and gallant Member for Galway for the information which he has given us as to the manner in which these notes are being taken. After what we have heard from him, the Committee must not feel surprised if my speeches should be considerably longer while this person remains in the Gallery than they have been up to the present time. Hitherto, I have been in the habit of endeavouring to compress my observations as much as possible. But the habit of compressing observations is, unfortunately, attended with this disadvantage—that you are liable to omit some things that you require to say, and which you are obliged to say afterwards, in answer to some false argument brought forward by the other side. Henceforward, I shall answer all arguments that may be advanced against my contention, so that there shall be no reason for my speaking a second time, and making myself liable to a charge which, I suppose, will be brought against me in what I must call a most un-English fashion.

Mr. CALLAN: To-morrow we shall discuss this matter as a question of Privilege. I hope that these notes will not be used to-morrow, but that they will be left with the Librarian for our inspection. We ask for an inspection of the notes taken officially by one of our paid officials for the use of the House. Are we to have the Star Chamber back again? Are Irish Members to be prevented from seeing the official notes taken by the direction of the Speaker—by the paid officials of the House? But I will not further discuss the question now, for I am quite certain that my suggestion will be sufficient to cause these things, like the cat-o'-nine-tails—and these things are a moral cat-o'-nine-tails—to be produced. The cat-o'-nine-tails were left with the Sergeant-at-Arms for our inspection, and I ask that this moral cat also shall be left with the officers of the House for our inspection.

Mr. SULLIVAN: I have listened with pain to the statement made by the hon. and gallant Member for Galway (Major Nolan); and I can only say that if such a statement had been made in the House of Commons in the days of Pym and Hampden, I know who would be in the Tower on the morrow morning.

Question put, and *negatived.*

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

Mr. DILLWYN said, that the hon. Member for Birmingham (Mr. Chamberlain) had asked a question with regard to a matter upon which it would be satisfactory that the Government should give an assurance. He asked whether, in case the Indian Articles of War should be found more stringent than this Bill, the Government would use its influence with the Indian Government in order to modify them?

Colonel STANLEY could not answer the question at the present moment. At the same time, he had no doubt that after his right hon. Friend had inquired into the matter he would give such directions.

Mr. DILLWYN said, he had the authority of the hon. Member to withdraw his Amendment.

Mr. PARNELL remarked, that this question had been before the House on a previous occasion, and the hope was held out that the Government would place the Indian Mutiny Act upon the Table of the House, so that they might really know what it was.

Colonel STANLEY: It is in the Library.

Mr. PARNELL said, it had not been distributed to hon. Members. It was only right that the Act should be laid on the Table of the House.

Amendment (*Mr. Chamberlain*), by leave, *withdrawn.*

Colonel STANLEY, in the absence of the hon. and learned Member for Oxford, begged to move the Amendment of which he had given Notice—namely, in page 92, line 32, at end, to add—

"(8.) Any person, not otherwise subject to military law, accompanying a force on active service, who shall hold from the commanding officer of such force a pass revocable at the pleasure of such commanding officer entitling such person to be treated on the footing of an officer."

MR. PARNELL hoped the right hon. and gallant Gentleman would have the kindness to inform the Committee who the persons were to whom the clause would apply, and what the exact position was which it was intended they should occupy?

COLONEL STANLEY said, he could not tell the hon. Gentleman exactly who all the persons might be to whom the clause would be applicable. The question was one which had, on a recent occasion, been the subject of discussion for several hours, and the Amendment which he proposed was the result of that discussion. The clause would cover such cases as those of newspaper correspondents or photographers accompanying the Army. Persons of a superior class would be treated on the same footing as officers, while others would be placed on the footing of private soldiers.

MR. PARNELL said, he did not think the explanation of the right hon. and gallant Gentleman was at all satisfactory. It was now proposed to make a change in the law which, in his opinion, it was by no means advisable to introduce. Newspaper correspondents were not placed under the operation of martial law either by the provisions of the old Mutiny Act or the Articles of War, and he objected to the alteration as affecting them to which the right hon. and gallant Gentleman asked the Committee to assent. He should be glad to see the position of newspaper correspondents with the Army improved; but he did not think the Amendment would effect that object, and he should deem it to be his duty to take a Division upon it. He should like to ask the right hon. and gallant Gentleman whether newspaper correspondents accompanying the Army in the field were now subject to military law?

COLONEL STANLEY replied, that they did not come under the operation of the Mutiny Act, but that they were liable to be governed by the law of the camp. All, he might add, that it was sought to do by the Amendment was to place them under the protection of military law, and to give them a recognized position.

SIR ARTHUR HAYTER pointed out that the Amendment would not only give those to whom it related a recognized position, but that it would enable them to draw rations and forage as officers. Under these circumstances, newspaper correspondents ought to be placed under the operation of military law. He should like, however, to ask whether the case of newspaper correspondents accompanying the Army did not come within the scope of sub-section 11 in the next clause?

MR. PARNELL, having referred to the statement of the Secretary of State for War, that newspaper correspondents were now liable to be governed by the law of the camp, expressed a wish to know what that law was? Were they under the jurisdiction of the provost marshal? The right hon. and gallant Gentleman seemed to say so; but he would submit to the Committee that neither under the Mutiny Act nor any other Act was a newspaper correspondent with the Army subject to the provost marshal. When the right hon. and gallant Gentleman spoke of the law of the camp, did he mean that newspaper correspondents might be tried by the provost marshal? If so, he could only say that he doubted the accuracy of such a statement exceedingly. It had no foundation in either the Articles of War or the Mutiny Act. It appeared to him to be simply an invention of the Secretary of State for War.

THE CHAIRMAN: Order! The hon. Member is not entitled to speak of a statement made by any other Member of the House as an invention. I must call upon the hon. Member to withdraw that expression.

MR. PARNELL: Certainly. His object was merely to direct the attention of the Committee to the ingenuity of the right hon. and gallant Gentleman, and he did not intend to use the word "invention" in any offensive sense. He was under the impression that it was a very harmless phrase; and he would point out that there had been a recent ruling from the Chair which, in his opinion, would, if strictly acted upon, very much limit the freedom of discussion.

THE CHAIRMAN: Order, order! The expression which I called upon the hon. Member to withdraw was one in which he attributed invention to the right hon. and gallant Gentleman the Secretary of State for War, as applied to a statement made by the right hon. and gallant Gentleman in this House. The hon. Member, in using such an expression, appeared to me to be casting an imputation on the good faith and honour of another Member of this House, the Secretary of State for War. [MR. PARNELL: Absurd.] The hon. Member then proceeded to comment on the ruling of the Chair, and to put upon the words which he used some exceedingly remote and far-fetched interpretation. I must say that the hon. Member seems to me to be trifling with the Committee.

MR. PARNELL: I altogether deny that you are entitled to put such a construction on anything that I have said.

LORD JOHN MANNERS rose to Order. He wished to ask the Chairman whether, if the hon. Member for Meath disputed the correctness of his ruling, it would not be necessary, if the matter was to be discussed, to have the Speaker in the Chair.

THE CHAIRMAN: The expression used by the hon. Member to which I called his attention was not in Order, and he has no right to dispute the ruling of the Chair in the matter. He is out of Order in doing so.

MR. PARNELL said, he had done nothing of the kind, and contended that the noble Lord the Postmaster General had not the slightest ground for stating that he had disputed the ruling of the Chair; for the moment the Chairman called upon him to withdraw the word to which he objected he did so. Really, before a Member raised a preposterous point of Order he ought to be sure that he was acquainted with the facts of the case, and ought to be able to substantiate the charge which he made. He (Mr. Parnell) had cast no imputation whatever on the good faith or honour of the Secretary of State for War; and, at the request of the Chairman, he had at once withdrawn the allegation with respect to invention on the part of the right hon. and gallant Gentleman, because the Chairman was of opinion that the word which was used was un-Parliamentary. He altogether denied, however, that the phrase was intended to be of an offensive character. Certainly not. He should be very sorry to use any expression of that kind with regard to the right hon. and gallant Gentleman. He had been a witness, a constant witness—a more constant witness, at all events, than, perhaps, any other Member of the House during the last two months—of the courtesy, kindness, and forbearance of the Secretary of State for War, and he should very much regret making any imputation against him. But he felt he must say he was excessively indignant that one of the Colleagues who sat by the side of the right hon. and gallant Gentleman, who was so rarely in the House as not to be in a position to form a just opinion on the bearing of any of its Members, and who had no knowledge whatever of the Bill under discussion, should obtrude himself, as the noble Lord had done, on a point of Order which he had no justification for raising.

LORD JOHN MANNERS said, he must again rise to Order. The point to which he had called attention had been ruled by the Chairman against the hon. Member for Meath; and he wished to ask the Chairman whether, in his opinion, the hon. Member was justified in contesting that ruling? The hon. Member, he submitted, was out of Order in doing so.

MR. PARNELL said, he had not contested the ruling of the Chair. He begged distinctly to deny that he had done anything of the kind.

MR. J. BROWN rose to Order. He thought the hon. Member for Meath was out of Order in making any further remarks on the point. He might add that he had distinctly heard the hon. Member use the word "absurd" while the Chairman was giving his decision.

THE CHAIRMAN: Does the hon. Member for Meath wish again to address the Committee?

MR. PARNELL said, he would not trifle with the time of the Committee by continuing so absurd a discussion.

THE CHAIRMAN: I have to state, in answer to the noble Lord the Postmaster General, who addressed a question to me on a point of Order, that it appears to me the hon. Member for Meath was certainly out of Order in contesting the decision of the Chair, and denying the justice of its ruling as to the un-Parliamentary character of the expression which he used.

MR. BIGGAR said, he desired to make a few remarks on the Amendment, as he supposed the point of Order which had been raised might now be regarded as having been disposed of. He could not help thinking that it was very undesirable that persons who accompanied the Army as representatives of the Press, for the purpose of giving what they believed to be a fair and correct report of what they saw, should be subject to the operation of military law. It was perfectly reasonable, of course, that such persons should be required to conform, as far as possible, to the conduct which was expected from officers and gentlemen, and that the commanding officer should have the power of removing them from the camp if they were guilty of any transgression which rendered such a course expedient. That was the course which had recently been taken by General Roberts in Afghanistan in the case of a correspondent for pursuing a line of conduct to which he objected. For his own part, he thought there was considerable inconvenience in allowing irresponsible persons to be with the Army at all; and the justice of that view was borne out by what had occurred in the instance of the Prince Imperial. But it was absurd that the agent of a London, or any other newspaper, should be subjected to military law in the way in which was proposed.

MR. PARNELL wished to point out to the Committee that the Amendment, if agreed to, would make a decided alteration in the existing law. Newspaper correspondents accompanying the Army had never hitherto been put under any description of military law. The right hon. and gallant Gentleman the Secretary of State for War talked about the rule of the camp; but he must be aware that it was a rule which was never enforced, in the way that it could be, against the correspondents of the newspapers. The Amendment, in fact, was nothing more or less than an attempt to place a bit in the mouth of newspaper correspondents, and to keep them under the control of the military authorities, so that they might send home no intelligence of which the General in command did not approve, and which was not subjected to his criticism and alterations. The justice of that view was borne out by what had been done in Afghanistan, where a newspaper correspondent—who refused to do something, for not doing which the Committee was now asked to subject an offender to military law—was turned out of the camp. Well, let a correspondent be treated in that way, by all means, if his acts were of such a kind as to prejudice or imperil the operations of the Army; but let him not be subjected to a code of law which it was never intended should be applied to a person occupying his position. He should like, for a moment, to call the attention of the Committee to some of the provisions of the Bill which they were asked to extend to the case of newspaper correspondents, under the operation of military law. It was provided, for instance, that any person subject to military law who "gives intelligence to the enemy" should be liable, on conviction by a court martial, to the punishment of death; that was to say, that if a newspaper correspondent, in the discharge of his duty, unwittingly wrote anything which was afterwards published, and which, in the opinion of a commanding officer, came within the definition of "intelligence to the enemy," the correspondent might have sentence of death pronounced upon him. Now, that he could not help regarding as a monstrous proposal. If it were deemed to be necessary that a correspondent's letters should be inspected before they left the camp, there was ample power to exercise that supervision over them; but that a correspondent should be made liable to have the penalty of death inflicted on him, merely because he happened to have written something in one of his letters which might be held by a court martial to be in the nature of "intelligence to the enemy," was a proposal which was perfectly preposterous. Again, the provision of the Bill that any person subject to military law who "knowingly" did anything calculated "to imperil the success of Her Majesty's Forces, or any part thereof," was liable to be put to death, would also apply to the case of newspaper correspondents if the Amendment before the Committee were agreed to; and the question, whether the Act complained of was or was not of the nature set forth in the Bill, would have to be determined by a court martial, who would have the power of deciding whether the letters of the correspondent of a London newspaper, written under circumstances of great difficulty, came under the operation of the sub-section which contained the words which he had just quoted. He could very well imagine that a court martial in the field might, owing, perhaps, to some spite entertained by its members against a particular correspondent, give a verdict in such a case of which they might afterwards have cause to regret. Clause 4 of the Bill also provided that every person subject to military law,

> "Who treacherously holds correspondence with or gives intelligence to the enemy, or treacherously or through cowardice sends a flag of truce to the enemy,"

should, on conviction by a court martial, be liable to suffer penal servitude. Now, what, he would ask, was the vocation of a newspaper correspondent? His vocation was to furnish intelligence to the public, and the necessary consequence of the publication of that intelligence was that it must come to the knowledge of the enemy. In these days of newspaper enterprize, anything which appeared in a newspaper, or anything which was sent through the telegraph wires by a correspondent, must, from the very nature of the case, be intelligence to the enemy; and there was nothing said in the Bill as to the meaning which was to be attached to the word "intelligence." It was absurd, on the face of it, he contended, to subject the correspondents of newspapers, under such circumstances, on conviction, it might be at a moment's notice, to the punishment of death or penal servitude. Even Cetewayo, he had seen it stated, had all the Cape newspapers at his camp, or kraal, containing the most minute intelligence as to the movements of his opponents. Yet the intelligence thus supplied might be twisted by a court martial into intelligence given to the enemy, and the correspondent who had supplied it to the newspaper of which he was the representative might be condemned to death for an act which he had done in the ordinary discharge of his duty. Now, that was a proposal so monstrous that he hoped the Committee would not tolerate it for a single moment. It was sought to put down, in black and white, a provision in the Bill which would, he repeated, make a complete change in the law as it now stood, and which was open to the greatest objection. The right hon. and gallant Gentleman the Secretary of State for War said that newspaper correspondents accompanying the Army were at present subject to the ordinary law of the camp; but nobody knew what that law was. It had never been embodied in an Act of Parliament, and rarely or never been enforced against any of those persons. Of course, the officer in command had the power of turning a correspondent out of the camp if he considered that he had done something which was prejudicial to the interests of the Army; but no correspondent had ever been put to death because it was supposed he had furnished intelligence to the enemy; and there was nothing, he might add, to show that the intelligence supplied must be of a harmful character, in order to render the correspondent liable to be so punished. It was, further, provided in Clause 5 of the Bill that every person subject to military law,

> "Who, by word of mouth or in writing, spreads reports calculated to create unnecessary alarm or despondency,"

should, on conviction by a court martial, be liable to penal servitude. But how often, he would ask, had not correspondents sent reports to the journals in London, or elsewhere throughout the country, which were calculated to create alarm and despondency with respect to the position of the Army? Did it not happen that letters of that kind were brought by almost every mail which arrived from the Cape? Were the authors of such letters, he should like to know, to be muzzled by Act of Parliament, and to be placed at the mercy of a court martial in the field? The clause was not limited in regard to time. Any man who, six months previously, had used words calculated to create alarm or despondency, might be sentenced to death. There were a variety of other offences mentioned in the clause, none of which ought to entail a punishment of this kind. The Government, instead of seeking by this section to implicate newspaper correspondents, ought to bring in a separate Bill relating to newspaper correspondents in the field; and they should take council with those officers who had had experience of these gentlemen. No doubt, there were plenty of officers who were capable of giving advice to the Government on a matter of this kind, and who would assist them in drawing up a Code of Rules for the regulation by Government of newspaper correspondents during war. In the absence of a satisfactory explanation from the Government, he should feel it his duty to divide the Committee.

Mr. E. JENKINS hoped the Secretary of State for War would re-consider this clause; because, although he was not prepared to go so far as the hon. Member who had just spoken, yet he thought it would be a pity to introduce into this Act a clause about newspaper correspondents. The 166th and 167th sections appeared to him to give ample powers for dealing with all persons who accompanied an Army in the field. At present, it was admitted that, supposing a newspaper correspondent indiscreetly conveyed information to the enemy, it was in the power of the commanding officer to order him out of the camp. Then came the question, was it advisable or politic, in view of the relations existing between the Press and the public in this country—there being no doubt that the Press had done great service in exposing the weakness of military commands and operations in the field—to put a clause into an Act of Parliament which seemed to recognize the right of a commanding officer to bring these gentlemen before a military tribunal and subject them to the penalties of military law? He did not think this was a politic thing to do; and it would be far better to leave the matter in the general terms in which it at present stood in the Bill. These general powers were amply sufficient to deal with the cases which might arise.

Colonel STANLEY: I wish, in the first place, to say, the hon. Gentleman was not in the House when I explained why, in the absence of the hon. and learned Member for Oxford (Sir William Harcourt), I moved his Amendment. Having accepted it in principle the other night, I was bound to carry out the undertaking I had made with him. The question originally arose in this way. The Select Committee on this Bill recommended that all camp-followers, and all persons accompanying the Forces, should be brought under military law; where the offences and procedure would be specified, and the punishments limited. They would, in fact, be brought under a regular Code; and it appeared to the hon. and learned Member for Oxford and the other Members of the Committee—for I believe they were unanimous on the point—that this would be a protection to them. It was, however, suggested that a distinction should be made, and that these persons should be placed rather on the footing of officers than that of common soldiers, and in that I agreed. These persons must be under some law, or no law; and if they are brought under military law it is a distinct protection to them, and it is not unreasonable that they should be treated as officers. That is the reason why I accepted the words proposed by the hon. and learned Member for Oxford.

Mr. HOPWOOD said, it was quite true, in all respects, what the right hon. and gallant Gentleman had just stated. The discussion originally arose on Clause 36; and it was promised that, at a later stage of the Bill, some words should be proposed to meet the case of these newspaper correspondents.

Mr. E. JENKINS asked, whether they desired to put newspaper correspondents in the English Army on a worse footing than they would be if they were accompanying the Russian Army? There was no doubt no Russian General would think of shooting an English newspaper correspondent. They all knew perfectly well that a number of correspondents accompanied the Russian Army during the late war, and that the Grand Duke, who was in command, felt aggrieved at much of the information conveyed to the public; but he did not put these gentlemen under military law. He hoped the Committee would forgive him for pressing this matter. It was one of policy and good-feeling, rather than one of mere technical rigidity. A newspaper correspondent, to a certain extent, ought to be a privileged person; but all they proposed to do in that direction was to place him on the footing of an officer, the result of which must be that he would write with a sort of cord round his neck. He was certainly not to be liable to be flogged: but he was to be liable to be sentenced to penal servitude if he committed an error. At present, if a newspaper correspondent committed an improper act, he should be treated as General Roberts treated the correspondent of *The Standard*, and ordered out of camp. If General Roberts had had such a clause before him as that now proposed he would have felt obliged to treat the correspondent under military law, and subject him to military discipline. Now, would it be advisable to do such a thing as that? Would it not be far better to leave the matter as it at present stood?

SIR HENRY JAMES wished it to be understood that this Amendment was not intended in any way to restrict the powers of military correspondents. It was rather intended to protect them, and give them a status which they had not hitherto enjoyed. If such a clause was not passed, these correspondents would be liable to be dismissed from the camp by any commanding officer who felt annoyed at them. No doubt, it was proposed that they should be subject to the punishment of officers; but they would also receive the protection of officers, and no commanding officer would bring them arbitrarily before a court martial. All who had the interests of these correspondents at heart would vote for this clause, because it was clearly a distinct protection which was about to be given to them.

SIR PATRICK O'BRIEN suggested that they should postpone coming to a final decision on the matter until the Government had communicated with the parties likely to be concerned, and ascertained what their view of the matter was.

COLONEL STANLEY could not consent to a postponement, and could not withdraw the Amendment, because it was part of the understanding that he should move it in the absence of the hon. and learned Member for Oxford.

SIR HENRY HAVELOCK said, the hon. and learned Member for Oxford had taken this Amendment from some words which he himself had suggested in the course of one of the previous discussions; and he suggested those words distinctly in the interests of the newspaper correspondents, and that was the direction in which he believed the clause would work.

MR. PLIMSOLL said, if the Committee divided, as at present advised, he should not know how to vote. He was extremely anxious that newspaper correspondents should receive the fullest protection whilst abroad, or anywhere else; but he thought the insertion of this clause would tend to give an officer an undue control over them, and they might incur very disagreeable consequences by speaking out fully. No doubt, it was said the clause was intended for the advantage of these gentlemen, and if that was really so he should be glad to support it; but, under all the circumstances, he thought it would be advisable to postpone the matter until they could get the opinion of those who were best able to judge whether the adoption of the clause would be to their advantage or not.

MR. O'CONNOR POWER thought it would be a most unusual thing to postpone the decision of the House of Commons until they had ascertained what the opinion of certain newspaper correspondents was. From an occasional reading of the newspapers, he must say he was not very much enlightened as to what was the way in which he ought to conduct himself. Therefore, instead of referring their differences to the newspapers, they had better settle them amongst themselves; because if they were to shape their conduct according to the opinion of the newspapers, they would often find themselves in a position of great difficulty. In the interests of the passing of this Bill, he protested against any postponement. The simple question for them to decide was, whether it was to the advantage or not of newspaper correspondents to be brought under the operation of military law? As things at present stood, a commanding officer might expel a correspondent from the camp; while, under the proposed new clause, it was proposed there should be power to place him under military law, and elevate him to the status of an officer. Now, for his part, he thought it would be better to let matters stand as they were now. It would be far better for a man to be expelled the camp, if he did anything wrong, than to be continually writing under restrictions which must affect his liberty of thought and action. Under the new law, the correspondent would be in a worse position than he had ever occupied before. He was not in favour of civilians criticizing the operations of commanders in the field, and he did not sympathize with fireside criticisms; but he did approve of any machinery whereby newspaper correspondents, or anybody else, would be enabled to give an independent review of military operations of which they might have no other report than that of the officers themselves. If they put these correspondents under military law, they would be entirely at the mercy of the officers.

SIR ALEXANDER GORDON pointed out that this matter had already been once postponed. On a former occasion, he had pointed out that, as the Bill then stood, a correspondent was liable to be tried and flogged just the same as a private soldier, and he said he thought that an improper power to give to the military authorities. The hon. and learned Member for Oxford agreed in that, and supported the suggestion that newspaper correspondents should be omitted from the class of private soldiers; and he promised at a later stage to propose words placing them on the footing of officers, and that was the Amendment now before them, and he thought it would fully meet the case.

SIR PATRICK O'BRIEN said, such a thing as a newspaper correspondent was unknown during the Peninsular War, and their presence with an Army was of quite a modern date. The question they had to consider, therefore, was, how were military operations promoted by their presence? and he repeated that he thought the best thing to do would be to postpone the decision on the matter until the opinion of the gentlemen themselves had been obtained.

LORD ELCHO understood that if this Amendment were carried General Roberts would not have been able to act towards the correspondent of *The Standard* in Afghanistan as he did, and to tell him he should not be with him in the Army any longer. If that was so, he should be disposed to vote against it, more especially with reference to what took place in the War in the Peninsular. It was evident that a General must have absolute control to decide whether correspondents should or should not remain with his Army; and he hoped they were not going to do anything which would take away or minimize that power.

COLONEL STANLEY said, there must be a certain amount of give and take; and if a newspaper correspondent made his position one such as was not consistent with the public welfare, a General in command would naturally feel it his duty to request him to leave the Army. Of course, the Public Service must come first; but, subject to that, they were now going to put these persons clearly in a better position than they occupied before. He might be biassed, but he did not think correspondents could be better off than when occupying the position of a British officer.

MR. BIGGAR said, the Public Service got very great benefit from the independent comments of the newspaper correspondents. Our commissariat and transport service was in the most wretched state in the Crimea, and, but for the reports of the newspaper correspondents, would have continued so. They wanted independent reports by gentlemen who wrote of what they saw; and, for that reason, he thought it was very undesirable that correspondents should be liable to be tried by courts martial. If that were done, each man would always be writing with a rope round his neck, liable to be called before a court martial and subjected to personal inconvenience that must interfere with his independence as a writer.

MAJOR O'BEIRNE should certainly vote for the Amendment. It was a power that must be given, and nothing more.

MR. E. JENKINS could not advise his hon. Friend to go to a Division, as on this point he did not see his way to vote with him.

MR. PARNELL said, there was nothing in the Amendment to prevent a correspondent from being ejected from a camp. His proposal would not have that effect. It left to the commanding officer all the power which he originally had of ejecting a newspaper correspondent from the camp if necessary; and, at the same time, gave him, or any field officer, the power which he did not now possess of bringing the newspaper correspondent before a court martial on any of the charges which were breaches of this Army Discipline and Regulation Act. He wished to point out to hon. Members, who supposed they were doing newspaper correspondents a benefit, that they were giving additional powers to the commanding officer, and taking away none which already belonged to him. They were making these persons subject to military law; and unless they passed this clause, or passed new clauses, they would not be subject to military law. Therefore, no case whatever had been made out by the Government, or its supporters, for their contention that they were putting correspondents in a better position than they occupied before. If they wished to extend the powers of officers in this respect, they should do it, not by a few words extending the provisions of the whole Act to newspaper correspondents, but by special clauses dealing particularly with them, and then they would know what they were about. This sub-section would have been smuggled through, and nobody would have known anything about it, but for his question. Hon. Gentlemen must remember how wide were these powers. If this section were passed, they could try a correspondent for conduct unbecoming an officer and a gentleman. ["No, no!"] The hon. and gallant Gentleman the Member for Sunderland (Sir Henry Havelock) appeared to be going into hysterics over that statement; but it was nevertheless the fact. ["Oh! oh!"] They could also try him under the Devil's Clause. That seemed to him absurd. He knew the Committee would be against him; but, so far as logic and argument went, they had proved this sub-section to be a monstrous absurdity, which ought to be rejected by the Committee.

Amendment *agreed to;* sub-section *inserted* accordingly.

Clause, as amended, *agreed to.*

Clause 167 (Persons subject to military law as soldiers).

Sir ALEXANDER GORDON wished to amend the clause by inserting the following sub-section:—

> "(12.) All civil officers who may be employed by or act under the Secretary of State for War at any of Her Majesty's establishments in the islands of Jersey, Guernsey, Alderney, Sark, and Man, and the Islands thereto belonging, or at foreign stations."

He did not see why these officers should not be on the same footing that they were on in the existing Mutiny Act. He had had occasion to state, more than once, that a variety of persons were in this Bill to be tried under the operation of the Mutiny Act, who had not hitherto been brought under the operation of that law. The tendency of this Act was to draw more persons under military discipline than formerly. Here they found, however, with regard to civil officers, a contrary course had been adopted. Those officers had had the very good sense to take themselves out of the Act. The effect was, that civil officers in charge of stations could not be tried by court martial, and could only be disposed of by the civil law.

Colonel STANLEY replied, that though, technically, these civil officers had been subject to military law, that had never been enforced, and they had always been tried by the civil power. He, therefore, thought it better to put them on the footing on which they were to be treated.

Sir ALEXANDER GORDON thought he could find cases where civilian officers could be tried by court martial. He rather thought he had tried one himself.

Colonel STANLEY said, he would not put his experience against that of the hon. and gallant Gentleman; and if he said there had been cases he was bound to take that as a statement of fact; but he was sure it was not generally the case.

Mr. E. JENKINS observed, that there was, undoubtedly, a strong feeling in the Army that the clerks at the War Office should be brought under the discipline of the Military Act; but, of course, it would not do to propose that just now.

Amendment, by leave, *withdrawn.*

Sir ARTHUR HAYTER moved, in page 92, line 36, sub-section 1, after "all," insert "non-commissioned officers and." He did not wish to raise this question again; but he might point out that in the very next sub-section they had the words "all non-commissioned officers and men." The omission here seemed to make the clause read very badly.

Colonel STANLEY did not think these words were wanted, as, in the interpretation, the word "soldier" would include non-commissioned officers. It was rather a matter of drafting; but if his hon. and gallant Friend would leave the matter, they would deal with it in the Interpretation Clause.

Amendment, by leave, *withdrawn.*

Mr. DILLWYN, in sub-section 3, proceeded to move an Amendment dealing with the cases when British and Colonial Forces were serving together. He thought it was very unreasonable that the British soldiers should be placed in an inferior position to the Colonial soldiers when they were serving together, THE CHAIRMAN: It is questionable whether this Amendment can be moved at this point. This clause only contains definitions of the meaning of different persons.

MR. DILLWYN said, if that was the opinion of the Chairman, he would ask when it would be proper?

THE CHAIRMAN said, it had better be moved as a new clause.

MR. DILLWYN said, he would move it as a new clause.

MR. E. JENKINS asked to be allowed to say that he did not quite see why this Amendment should not be moved, and he thought it would be better to take it at once.

COLONEL STANLEY rose to Order. The Chairman had ruled that this Amendment was not admissible, and he submitted that the hon. Gentleman the Member for Dundee was not in Order in rising.

MR. E. JENKINS was only respectfully submitting a point, and did not intend to challenge the decision of the Chairman.

Amendment, by leave, *withdrawn.*

MR. CAMPBELL - BANNERMAN moved, in page 93, line 20, to leave out "or their corps."

Amendment *agreed to.*

MAJOR O'BEIRNE moved, in page 93, sub-section 7, to leave out lines 26 to 31. The effect of that was, he said, to place all non-commissioned officers and men of the Yeomanry Force under military law. He hardly thought it was necessary, in time of peace, to place this Force under this regulation. He was afraid it would cause unpleasantness, and he did not think there was any necessity for it, as the men in that Force were usually of a superior class.

COLONEL STANLEY hoped the Committee would not assent to the Amendment. It was necessary, if these Forces were called out, that they should be under discipline; and he could not conceive why the Committee should wish them to be treated in a different manner to all other Forces. He did not think the Committee would wish him to go into any arguments on the subject, for he thought it was self-evidently important that these men should be placed under military discipline.

MR. HOPWOOD could not agree that this was a matter to be settled off-hand and at once. Why were these thoroughly voluntary Forces placed under this stringent Act of Parliament? Government ought to be content with the concluding part of this clause, which placed every corps under the Act when it was on actual military service. That, he thought, was highly necessary; and that also, of course, would only be in a time of public need, which would make every man a soldier.

MR. EVANS, as a Yeomanry officer of long experience, hoped this sub-section would not be omitted. He believed he could say that both officers and men, of all things in the world, would dislike nothing more than this proposal. It would be very injurious to the corps, for it would place them in an unpleasant comparison with the Militia. Speaking from a good deal of experience, he should be exceedingly sorry to see the Amendment carried.

Amendment *negatived.*

COLONEL STANLEY moved the insertion of an Amendment which would have the effect of rendering members of the Yeomanry Service subject to military law as long as they were serving in aid of the civil power of the country.

MR. E. JENKINS said, the Amendment proposed was quite new, and must not pass unchallenged. No explanation had been given of the matter, which was not in the Mutiny Acts as they existed.

COLONEL LOYD LINDSAY said, he should like to observe that the Yeomanry, when they came out, were under the Mutiny Act.

MR. PARNELL said, he must object to the insertion of the words, because he thought that the Yeomanry was not a body that ought to be brought in to the aid of the civil power. They were not trained men, and were not fitted to deal with a turbulent mob. They were liable to lose their patience; and he could not imagine circumstances arising when men in their senses would bring in the Yeomanry to aid the civil power. They knew that trained and disciplined soldiers, when called upon to suppress riots, were with the greatest difficulty able to keep their temper and restrain their action. Under no circumstances whatever should the Yeomanry be brought in to cope with civil disturbances. He objected to the words sought to be inserted, not so much because they gave power to bring in the Yeomanry, but because they indicated that Yeomanry might be brought in. They had evil recollections in Ireland in connection with the Yeomanry of 1798. Nearly all the atrocities of 1798 were committed by Yeomanry. The Regular soldiers were distinguished for their quiet and forbearing demeanour; but the Yeomanry behaved in the most scandalous fashion, their atrocities being handed down as tradition. He objected, in consequence, to any sub-section bringing in such an objectionable body to the aid of the civil power.

Colonel STANLEY thought the hon. Gentleman misapprehended the point. It was now under the Act to call out the Yeomanry. That was the law; and now it was proposed, when they were called out, to put them under the Mutiny Act.

Mr. HOPWOOD rose, and was received with a groan of disapprobation from a Member opposite. He asked, whether the sound which came from the hon. Member opposite was to be tolerated to repress his expression of the views he entertained on this question?

The CHAIRMAN called for Order, and said he had, as the hon. and learned Member must have heard, called Order to reprove the noise referred to.

Mr. HOPWOOD said, he was met, on rising, by a noise which disturbed Order, and he protested against that gross breach of Order. He would now proceed. This was a most unfortunate Amendment. This sub-section was put in as a reminder to the military authorities that this was a power which not only might be called into force, but which it would be laudable and desirable to call into operation. He thought it undesirable; and he should take the opinion of the Committee on the point. He objected *in toto* to the calling in of the Yeomanry to the aid of the civil power. It was said—"Oh! we want to put them under the Mutiny Act when they are called out;" but why call them out at all to aid the civil power? There was no doubt this was a scheme for giving direct sanction for using the Yeomanry in aid of the civil power. Let him remind the Committee that this was one of the Volunteer Services; but they would not venture to call out the Volunteers in case of civil strife; and there was nothing in this Bill which referred to the Volunteers in the same sense. Yet there was this attempt to include the Yeomanry. So far from this being a well-considered proposal, it was clear that it had only been thought of at the last moment. He challenged the right hon. and gallant Gentleman to deny this statement.

Mr. EVANS said, the Yeomanry was not a Volunteer Force in the strict sense of the term. Since he had been a Yeomanry officer, it had been found necessary to call out the Force; and he was old enough to remember, in his own county, three several occasions on which the Yeomanry were called out, and rendered very efficient service, and that at a time when the police was entirely inadequate. He could not admit what had been said of the Yeomanry was altogether justified. It was not justified so far as England was concerned—he said nothing about Ireland. He was speaking of his own personal knowledge.

Mr. MACDONALD, who was met with cries of "Oh!" and other sounds, said, it struck him that some of the Gentlemen on the opposite Benches were unwell, and he might have to take the opportunity of asking that Progress be reported in order that they might have time to look to the state of their health. If allowed to proceed, he would state his strong objection to bringing in the Yeomanry to the aid of the civil power. The hon. Member above the Gangway who had just spoken said these Yeomen had rendered useful service. Well, in his (Mr. Macdonald's) time, he had seen the Yeomanry out in the County of Lanark something like a dozen times. It was said it was to aid the civil power; but the fact was, they were set to watch potato fields. Now, it was notorious that more potatoes were stolen when the Yeomanry were out than when they were not out. That was their efficiency. He had seen them out in the County of Ayr, and he did not think they were in the slightest degree better than in the County of Lanark. So far as his experience went, the Yeomanry corps was not an efficient corps, and ought never to be brought out to aid the civil power. The military was trusted and respected; but the Yeomanry was despised, distrusted, and condemned.

MR. PARNELL said, in the absence of the Law Officers of the Crown, he wished to ask the right hon. and learned Judge Advocate General — the only learned person present on the Ministerial Bench—a question on a point of law. He wished to know whether the power of calling out the Yeomanry was a power that was given by Common Law or Statute? [An hon. MEMBER: Statute.]

MR. CAVENDISH BENTINCK: By Statute.

MR. PARNELL: Perhaps the right hon. and learned Gentleman would add to his kindness by informing me what Statute?

COLONEL STANLEY: The Statute of 1804.

Amendment *agreed to.*

MR. CHAMBERLAIN said, he could not think that the Government had sufficiently considered this portion of the Bill, which, if passed into law, would have a very bad effect on the enlistment of Volunteers. That Force had been admirably successful up to the present time. It was continually increasing in numbers; and he did not think the Volunteers would submit themselves to the considerable penalties and risks involved in the clause as it was now drawn. When "on active military service," it seemed to him, there ought to be no distinction. But it was customary for crack regiments of Volunteers to train at certain periods with the Regular Forces; and, under these circumstances, they would at once be brought under military discipline as defined in this Bill. He was, at first, afraid that the Volunteers might subject themselves to corporal punishment; but, clearly, that was not the case, for corporal punishment was only to be inflicted when the troops were on active service. That, of course, would not cover the mere calling out of the Volunteers for training with the Regulars. But they subjected themselves to very penal clauses, indeed. For instance, take drunkenness. The offender was subjected, for drunkenness, to imprisonment, with or without hard labour, for a period not exceeding two years. Now, he did not think that the ordinary artizan in our towns would ever join the Volunteer Force if he was aware that for yielding to temptation when off duty on one of these training occasions he would render himself liable to imprisonment for two years. In the same way, he was liable to imprisonment, with or without hard labour, at the discretion of the court, if he "disobeys any garrison, general, or other orders." This was a very wide phrase, indeed; and he could conceive that some Volunteers might easily commit some slight breach of discipline, might break some order, which would at once bring them under the purview of this clause. All offences against general discipline in Clause 40 subjected the soldiers of the Regular Forces to imprisonment for two years, and the same offences would, under this clause, subject the Volunteers to the same imprisonment. This appeared to him to be a matter which had not been sufficiently considered by the Government. He could conceive of lengthened terms of imprisonment being given for, apparently, very trivial offences in the case of the Regular soldier; but he could not conceive that it was desirable to extend such power to the case of a Volunteer who had offended. Anything that would in the slightest degree discourage the Volunteer Force would be a very serious mistake. He begged to move that sub-sections *a* and *b* be omitted.

COLONEL STANLEY hoped the Committee would not assent to leave out these words, because they would, practically, by so doing, repeal the Army Regulation Act, 1871. He did not think the hon. Gentleman appeared to know what the provisions of the Army Regulation Act of Lord Cardwell were. Section 9 of that Act provided—

> "That any part of the Volunteer Force training and exercising with the Militia or Regular Forces, the Articles of War shall apply to them in the same manner as to the Regular Forces."

Carrying out the spirit of that Act, he understood that the hon. Member for the Stirling Burghs (Mr. Campbell-Bannerman) intended to move that when men were brought under this provision they would be given clearly to understand that they would not be brought under it without their previous consent. No harm, therefore, could possibly ensue; for, if a Volunteer did not wish it, he was not obliged to come under the operation of the Act. The Volunteer could not be placed under military discipline against his will. Well, as to the other point, when they came up for training with the Regular Forces, were they not to be brought under military discipline? Were they to place men side by side, under different regulations? He did not believe, for a moment, that the Volunteers wished to escape from military liability. So far as he had the opportunity of consulting men, he had found, so far from any indisposition to resent coming under this clause, the Volunteers, on the contrary, had a strong feeling to be placed under the same law as the Regulars. The hon. Member for the Stirling Burghs seemed to clear up the only point of difficulty—namely, that the men should know beforehand that they were placing themselves under the Mutiny Act. He did not think it necessary to take up the time of the Committee further. He wished to point out that these sections carried out the Act of 1871, and that they were in accordance with it.

Mr. WHITWELL said, he could only state, from some little experience, that he had not heard a man or non-commissioned officer state the slightest objection to come under the Act under the circumstances.

Mr. HOPWOOD said, that the objection to this provision was very strong, because it seriously endangered the Volunteer movement. There really was no necessity whatever for such a power as was asked for being given. Suppose an artizan in Lancashire joined the Volunteer Force, and left his home expecting to have, say, three days' outing in camp with the Regulars, and, through intemperance, or irritation by arbitrary conduct, was tempted to use language not, perhaps, quite consistent with military discipline. That man, not like the Regular soldier, trained and drilled to the control of his feelings, would then be tried by court martial; and though by the law under which he was enrolled he might get rid of his services in 14 days, he would be liable to be sentenced to imprisonment for three or six months. He thought that that was an absurdity. It ceased to be a Volunteer Force the moment they coupled it with this military enactment. It was their duty to encourage, not to discourage, the Volunteer Force to train with the Regulars; and he was sure it was not the wish of the right hon. and gallant Gentleman to weaken the inclination of the Volunteers to do so. But that would be the effect if this proposal became law. It would damp the ardour of the Volunteers to act along with the Regular Forces. He thought the precaution was quite unnecessary.

Sir ALEXANDER GORDON would like to know exactly how this clause would be interpreted? Would a Volunteer, each time he was called out for training with the Regular Army, have to give his consent, or would it be understood that on his entering the Volunteer Service there would be occasions when he would come under this law?

Mr. CAMPBELL - BANNERMAN said, the meaning of the Amendment which he intended to move was that it should be imperative that any Volunteer, non-commissioned officer or man, should know what he was doing when he went out to join his corps in connection with the Regular Forces. It was not a question of the ordinary training or drill; but it was a question as to whether, when they joinedt he Regular Forces, these Volunteers were to be under an entirely different system to that of the others? His own impression was, that they would not like to be placed under different regulations. They could not make Volunteers go to Aldershot unless they chose to do so; and it was only right, when the man engaged to go and serve in conjunction with the Regular Forces, that he should know exactly what he was doing, and not be allowed to say afterwards that he had been led into a trap. It was with a view of preventing anything of that kind that he had placed his Amendment on the Paper.

Lord ELCHO apprehended that this would not affect the position of the Volunteers under the Act of 1871. Previous to 1871 the Volunteers only came under the Mutiny Act when they were called out for active service. Before that time they had been brigaded with the Regular Forces, and there had been no difficulty in maintaining discipline. In 1871, however, the feeling appeared to be that when they were brigaded with the Regular troops or Militia, they should, as far as it was possible, be placed under the same law. They could not be placed under the same law entirely, because the Army and Militia were in receipt of pay, while the Volunteers were not. In the old Mutiny Act there were fines and punishments which could only possibly be made applicable to Forces in receipt of pay, and which were utterly inapplicable to the Volunteers. The Volunteers, however, accepted the change which was proposed in 1871; and he hoped the Government would be very careful in making any further alteration in that direction, because it should be borne in mind that Volunteer officers held in their hands a power which no General commanding either the Regular Army or the Militia had, and that was the power to dismiss a man who might misbehave. While on the subject of the Volunteers, he should like to touch upon another important point, and that was how were the Volunteers to be tried? Was the court, constituted for the trial of a Volunteer, to be composed of officers of the Regular Army or of the Militia, or were Volunteer officers to be included in the judges of the court? To restrict the court to officers of the Regular Army might be a very serious matter; because, he was sorry to say, there were some military men who did not look with the greatest possible favour on the Volunteers. Therefore, he hoped the Secretary of State for War would be very careful as to making any such change; and that he would look to the constitution of these courts as being such that there would be some security that when the Volunteers had to be tried some Volunteer officers would form the court martial. This was essential in the interest of the Volunteer Force itself.

MR. CHAMBERLAIN said, if the Secretary of State for War was about to accept the Amendment to be moved by the hon. Member for the Stirling Burghs (Mr. Campbell-Bannerman), of course the objection which he had urged would be removed.

Amendment, by leave, *withdrawn.*

MR. CAMPBELL - BANNERMAN said, he did not intend to move the exact words which he had placed on the Paper, but other words to the same effect. What he proposed was this—after "service," in line 42, to insert—

"Provided, That it shall be the duty of the commanding officer of any volunteer force, except when on actual military service, to obtain the consent of every non-commissioned officer and man belonging to such force before such non-commissioned officer or man shall enter on any service in which he shall be subject to military law."

Amendment proposed,

In page 93, line 42, after the word "service," to insert the words "Provided, That it shall be the duty of the commanding officer of any volunteer force, except when on actual military service, to obtain the consent of every non-commissioned officer and man belonging to such Force, before such non-commissioned officer or man shall enter on any service in which he shall be subject to military law."—(*Mr. Campbell-Bannerman.*)

Question proposed, "That those words be there inserted."

MR. PARNELL moved that the consent of the Volunteer should be in writing, or else it might be of a very informal character.

Amendment proposed to the proposed Amendment, after the word "consent," to insert the words "in writing."—(*Mr. Parnell.*)

Question proposed, "That the words 'in writing' be inserted in the proposed Amendment."

SIR ALEXANDER GORDON thought it might save many unpleasant questions before the court martial, if the consent of the man was produced in writing.

COLONEL STANLEY had no objection to the insertion of the words "in writing." If the roll was called, and the man signed it, it might be useful evidence before a court martial.

Question put.

The Committee *divided:*—Ayes 66; Noes 206: Majority 140.—(Div. List, No. 157.)

MAJOR NOLAN was afraid he had led some of his Friends wrong. He had told them to support Her Majesty's Government, because he understood the Secretary of State for War to accept the words "in writing;" but he found he had gone into the opposite Lobby, and had voted against the adoption of those words.

MR. PARNELL also wished to express his regret at having put the Committee to the trouble of dividing, because he did so under the impression that the Government would support the proposal which he had made. Had he known in time that they were not going to vote for it, he would not have troubled the Committee with a Division. Certainly, the Secretary of State for War said "Aye;" yet when the Division took place he voted "No."

Sir ALEXANDER GORDON said, he, too, had told his Friends, under a misapprehension, that they could not do better than follow the Secretary of State for War.

Mr. SULLIVAN had thought he was about to enjoy the rare luxury of supporting Her Majesty's Government, when he was told the Secretary of State for War had accepted the Amendment, which it now appeared he had voted against.

Sir ARTHUR HAYTER considered they were discussing a mere bagatelle. The consent of the Volunteer would have to be formally obtained, which was, practically, the same thing as obtaining it in writing.

Mr. CALLAN said, he was not present in the House during the discussion; and upon asking, not how he should vote, but what was the question? he was told the Secretary of State for War had accepted this Amendment. Now the question was, did he accept that Amendment or not? If he had, why should his decision be overriden by the after-dinner audience below the Gangway?

Amendment *agreed to.*

Mr. PARNELL moved, in page 94, to leave out sub-section 10, stating that the sub-section would have the effect of extending military law to a class of persons who had not hitherto come within its operation, and who ought not, in the opinion of many competent authorities, to be so included. For instance, if the sub-section was agreed to, wagon-drivers, whether in military service or not, would be under military law if employed beyond the seas. If military law was to be made so stringent as was now proposed, it would not be possible to induce persons to take service in such capacities as that to which he was alluding. Under existing circumstances, it was often difficult to get transport—and this had recently been the case in South Africa—but if all persons engaged in that service were to be put under military law, the difficulty would be largely increased. The plan which had been pursued hitherto had worked very successfully; and he was not able to see any reason why it should be altered, no evidence having been adduced to show any necessity of the kind.

Colonel STANLEY said, the sub-section had been introduced for the purpose of dealing with persons who were employed in connection with the Army in a semi-civil capacity—such persons, for instance, as storekeepers, sutlers, and others, of a similar kind. Both this and the next sub-section were carefully considered by the Select Committee which inquired into the whole question, and which recommended that these persons should be brought under military law.

Amendment *negatived.*

Mr. PARNELL moved the omission of sub-section 11. He said, the proposal of the Government would make a very extensive alteration in the class of persons who were in future to be subject to military law; and, therefore, he thought the alteration ought not to be made until after very careful and serious consideration of all the circumstances. He saw no reason why a special set of rules should not be adopted in relation to wagon-drivers, camp-followers, and persons of that kind, who ought not to be brought under strict military law, which included penal servitude, flogging, and shooting, in its list of punishments.

Sir HENRY JAMES thought this was an important question; and, on the whole, he was of opinion that camp-followers should not be subject to martial law, but should be under military law, when in an enemy's country. At the present time, camp-followers were under the sole and arbitrary power of the commander of a Force, and he might exercise that power humanely and well; but, on the contrary, he might do no such thing; and it would, therefore, be wise, in his opinion, to put such persons under military law as was proposed in the Bill.

Amendment *negatived.*

On Question, "That the Clause, as amended, stand part of the Bill?"

Mr. CHAMBERLAIN said, he had intended to make a proposal in reference to newspaper correspondence published in Great Britain and Ireland; but as that question had been discussed on a previous clause he should not move his Motion, and the more so, because he thought such an account would be given of corporal punishment as would have the effect of putting an end to it altogether. There was one point, however, on which he must make an observation. Throughout the Bill it was provided that Native Indian troops should remain under Indian military law, and should not be included in the provisions of the present Bill. When, on a previous occasion, he called attention to this fact, he was met by the statement of the hon. Gentleman the Member for Kirkcaldy (Sir George Campbell) that he knew very little about it. That was perfectly true; but it was also true that the hon. Gentleman was wrong in his notion that the Indian military law was more lenient than the present law in this country. That not being the case, he thought it important that the Indian military law should be assimilated to that of this country.

COLONEL STANLEY explained, that he had no power to alter the Indian Articles of War; but he was able to say that any representation made to the Secretary of State for India would receive careful consideration.

SIR GEORGE CAMPBELL, referring to the speech of the hon. Member for Birmingham (Mr. Chamberlain), said, he had not described the Indian military law as being more lenient than that of this country. What he (Sir George Campbell) did say was that it was in advance of the English law; and in support of that view he pointed out that corporal punishment in time of peace was abolished, as far as the Indian troops, including the Sepoys in the cantonments, were concerned, long before British soldiers were exempted from this degrading punishment.

MR. O'DONNELL said, he should like to know, in regard to the statement which had just been made, whether blowing Sepoys from guns—which had been done in India—was a distinct step in the direction of leniency and humanity in the treatment of soldiers?

MR. HOPWOOD said, still further security had been afforded by the fact that when the constitution of the Council of India and the powers of the Governor General in Council were fixed, a limitation was provided to the effect that no laws should be passed in India which were subversive of the Mutiny Act for England. That was a direct precedent for bringing the laws of the two countries into harmony; and, therefore, it might be fairly assumed that the authorities would insure the realization of that which was asked.

Question put, and *agreed to.*

Clause 168 (Mutual relations of Regular Forces and Auxiliary Forces) *agreed to.*

Clause 169 (Modification of Act with respect to Royal Marines).

MR. W. H. SMITH moved the insertion of the words—

> "Unless such officers and men are serving as seamen under the immediate command of a naval officer on shore."

The object of the words was that when officers and men of the Royal Marines were serving with the Land Forces they should be subject to the Marine Mutiny Act; and that when they were serving with sailors under the command of a naval officer they should be subject to the Naval Mutiny Act.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 170 (Modification of Act with respect to Her Majesty's Indian Forces).

MR. E. JENKINS moved the omission of all the words after "India," in line 9, to the end of the clause. It would be within the recollection of the Committee that when the discussion took place with regard to the removal of the Indian troops to Cyprus the question was asked, under what Act the troops would come, the reply being the Indian Mutiny Act. The present seemed to be an entirely new clause; and what he wished to inquire was this—seeing that Her Majesty's Government had introduced a new policy, and proposed henceforth to assume the right to employ Indian troops outside India, would those troops, when brigaded and serving with English troops, come under the English or the Indian Mutiny Act? It appeared to him that they ought to be brought under the English Act, especially after the decision which had been arrived at with respect to the Colonial Forces; but he simply raised the question for the purpose of enabling the Secretary of State for War to make an explanation.

COLONEL STANLEY was not perfectly conversant with the Indian Articles of War; but understood, from the best information he had been able to obtain, that this clause substantially re-enacted the present law. He had no power to make any change in the Articles of War relating to India.

SIR HENRY JAMES pointed out that if the Amendment were agreed to, it would utterly break the contract of every soldier in the Indian Army.

SIR GEORGE CAMPBELL admitted that, at first sight, it seemed an anomaly that Indian soldiers serving Her Majesty out of their own country should be subject to a different law than was applicable to English soldiers. On further consideration, however, it would be felt that the thing was right, inasmuch as Indian soldiers had manners and customs peculiarly their own; and it would be inexpedient, if not dangerous, to put them under the same laws as applied to soldiers whose manners and customs were entirely different.

MR. E. JENKINS regretted that Her Majesty's Government had lately introduced the policy of employing Indian troops on service outside India. The Secretary of State for War had assured the Committee that there was nothing in the terms of the clause which interfered with the existing law. But the existing Mutiny Act had never contemplated the use of Indian troops outside India; and the question was, whether, if those troops were employed, say for the purpose of suppressing a rebellion in Canada, or quieting disturbances at the Cape, they would remain under the Indian Mutiny Act, or come under the cognizance of the English Act? The question was an important one; because, if the Indian differed from the English Act, there would be an unfairness with reference to the Colonial Forces who, when acting with English troops, came under the English Act, and, at the same time, remained under the Colonial Act.

COLONEL STANLEY said, the Indian troops would remain under their own Articles of War. This subject was not in any way affected by questions of policy. The hon. Member for Kirkcaldy (Sir George Campbell) went to the very root of the matter, when he said that the Indian Articles of War differed from the English, because they applied to persons whose manners and customs were entirely different from our own.

SIR GEORGE CAMPBELL said, the hon. Member for Dundee (Mr. E. Jenkins) was quite mistaken in supposing that it was an entirely new thing for Indian troops to be employed out of their own country. Sixty or 70 years ago, for instance, they served in Egypt. The Colonial troops were in a different position. As most of the Colonies had independent Legislatures, there was no guarantee that they would provide an efficient Mutiny Act; but in the case of India, England could control legislation, and Her Majesty's Government would take care that the law was as it should be.

Amendment *negatived.*

MAJOR NOLAN wished to call the attention of the Secretary of State for War to the 4th paragraph of the present clause, and the end of Clause 42. Contrasting the two, it would be perceived that they ran on parallel lines, and as one had been left out the other ought to be. The only variation in the two cases was that different channels were prescribed for the making of complaints. He moved the omission of the paragraph he had referred to.

COLONEL STANLEY was quite ready to deal with the paragraph in the manner suggested. The two clauses ran on the same lines. He had overlooked the retention of this paragraph, and he would see to the matter before Report.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 171 (Modification of Act with respect to Auxiliary Forces).

MR. A. H. BROWN suggested that if a court martial should be held on a Volunteer, when the Volunteers were brigaded with the Regulars, the court should be composed of a certain proportion of Volunteer officers. Under the Bill, as at present framed, it was possible for the court to consist entirely of military officers. He would be satisfied if the Secretary of State for War would undertake to consider the matter before Report.

COLONEL STANLEY was bound to admit that the subject was fairly one for consideration, though he could not pledge himself to deal with it in the Bill. Where it was found practicable, the suggestion of the hon. Member might be acted upon; but it would be unwise to lay down any hard-and-fast line, as a prisoner might then sometimes be subjected to a long period of detention before trial. It was desired to raise the status of the Volunteers, and to put Volunteer officers on the same footing as the Regulars when serving with them; and, provided they were properly qualified, there was no reason why they should not take part in the ordinary duties of Regulars. But, of course, if this rule were applied one way it ought to be applied the other, the officers being made interchangeable.

Clause *agreed to.*

Clause 172 (Special provisions as to warrant officers).

MAJOR NOLAN moved the omission, from line 34, of the words "to be reduced to the ranks or." This clause gave power to a court martial, among or punishments, to reduce a warrant officer to the ranks. The power would be injurious to warrant officers, who held a very important position. There were not a large number of such officers in the Service, though in the Artillery there were many who held somewhat similar positions. They often had stores under their charge, and were jointly responsible with the commanding officer. It would be utterly ridiculous to make such men liable to be reduced to the ranks. They might be reduced to the ranks nominally, but not for the purpose of serving there. He would have no objection to the clause if it were so framed that warrant officers might be reduced to the ranks only for the purpose of being dismissed the Service or imprisoned.

COLONEL STANLEY could not speak with positive certainty; but his impression was that, practically, a warrant officer was discharged if reduced to the ranks. He would inquire into the point.

MAJOR NOLAN said, if the right hon. and gallant Gentleman would consent to put in the words on the Report he would withdraw his Amendment.

COLONEL STANLEY said, he would consider the matter, and make a statement on the Report. He could not undertake to put in the words now.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 173 (Special provisions as to non-commissioned officer).

COLONEL STANLEY said, that he had proposed two Amendments in the clause, which he thought practically met the views of many Members of the Committee, and especially of several hon. Gentlemen behind him. He proposed, in page 101, line 14, to leave out "in the case of," and insert—

> "His commanding officer shall not reduce a non-commissioned officer more than one grade, and that in the case of such;"

and in line 16, before "court martial," insert "district." The effect of that would be that a non-commissioned officer could not be punished except by reduction of one grade. He proposed to leave power in the hands of the Commander-in-Chief, and of the Commander-in-Chief in India, to reduce at once to the ranks; but the reduction of a non-commissioned officer by a commanding officer would not be as it now stood in the clause. It would simply be by one grade. [Colonel ALEXANDER: That is from sergeant to corporal.] That was so. He had known cases where it was very hard to try non-commissioned officers by court martial, and yet where an officer could not pass over everything. He would accept the Amendment, giving an appeal in every case to a district court martial, and not to a regimental court martial.

COLONEL ALEXANDER was very sorry that, as far as he was concerned, he could not accept the proposal of the right hon. and gallant Gentleman. He proposed to keep the law as it now stood, and to prevent an arbitrary exercise of power by a commanding officer. He had referred back, curiously enough, to the year 1750, and found a debate then arose on the Mutiny Bill, and that Colonel George Townsend then proceeded to add a clause to prevent any non-commissioned officer being broke, or reduced to the ranks, except by sentence of court martial. They were told that certain persons attended on that occasion at the House of Commons who had been broke without trial, or without any cause assigned, and that he expatiated not only on the iniquity of such proceedings, but on the danger of leaving such arbitrary power in the hands of one individual. It did seem a curious thing that in the year 1750 a strong protest was made against such arbitrary power being committed to one person, and that now, in the year 1879, it was proposed to confer that power upon commanding officers. He could not only quote this old authority, but also a much more recent authority against the proposal—and no less an authority than His Royal Highness the Commander-in-Chief, who was examined before the Committee which sat last year to consider this subject. He was asked by the Financial Secretary to the War Office—his hon. and gallant Friend the Member for Berkshire (Colonel Loyd Lindsay)—

> "Would your Royal Highness think that the power given a commanding officer should be as much as that?"

That is to say, the power of reducing non-commissioned officers to the ranks. His Royal Highness replied—

> "I think it should not be so much as that. I am of opinion that you ought not to give a summary power to a commanding officer to break a non-commissioned officer. It should be done by a regimental court martial, because, otherwise, you might have very arbitrary acts. I do not say it would be so. It is quite possible a commanding officer might take a dislike to a non-commissioned officer for some small matter, and if he had power to break him off-hand the result might be serious. If he was a non-commissioned officer, and particularly if he was a sergeant, I think he ought to be broken by a regimental court martial, and not by the authority of a commanding officer."

In face of that evidence, given by no less a personage than the Commander-in-Chief, he contended that the Committee were entitled to know who were the unknown individuals who had recommended the right hon. and gallant Gentleman to take this step? If there were any commanding officers of opinion that they should be intrusted with this power, why were they not called before the Committee of last year? The right hon. and gallant Gentleman did certainly propose to make one concession, by allowing a commanding officer to reduce a non-commissioned officer only one step. He thought the concession really was not a concession at all. What the non-commissioned officer required was security in his position; and without that security the position lost more than half its value. Further, he wished to remind the Committee of what a non-commissioned officer would be liable to lose; that not only would the non-commissioned officer be liable to lose his position at the pleasure or caprice of his commanding officer, but also of an acting commanding officer. When the commanding officer went away on leave his representative at once acquired all the powers of a commanding officer; so that when a colonel went away, and a major was left in command, or perhaps even a captain, they would have the power of summarily reducing a non-commissioned officer from the rank of sergeant to the rank of corporal, or from corporal to the ranks. That was a power he did not think ought to be given to commanding officers. It had been stated that some non-commissioned officers turned out failures. But whose fault was that? In most cases the fault of the commanding officer himself; because non-commissioned officers were always appointed, in the first instance, on approbation to acting rank—such as lance-sergeant, and lance-corporal. While they were so acting, it was the duty of the commanding officer to find out if they were fit to be promoted to either of these grades. In his opinion, if this power were given, it would only encourage carelessness on the part of the commanding officer. A noble Friend of his near him said that the power which made should be able to unmake. Surely, that proposition, if carried out, would be a great blow at the irremovability of Judges. The Crown could make them, but it could not unmake them. They had the greatest difficulty, even now, in getting good non-commissioned officers; and if this power were conceded they would have ten times more difficulty. Therefore, unless the right hon. and gallant Gentleman would accept his Amendment he must divide the Committee as a protest against this change. He might add that ample power was at present given, in the event of necessity, in the 137th Article of War. The commanding officer of a regiment might, in a case of urgent necessity, or of proved inefficiency, apply for special leave for the purpose to the Commander-in-Chief, or the full colonel commanding the regiment, and so reduce a man. That power had worked well up to the present time, and it would be much better to leave it as it was.

SIR HENRY HAVELOCK said, as he had an Amendment of precisely the same character to that which had just been proposed, perhaps he might be allowed to add one or two words to what had been said. The position of a non-commissioned officer under this clause was very unsatisfactory. They now had greater and greater difficulty in obtaining non-commissioned officers, among the young men who were now serving, in consequence of the system of short service; and it was to him inconceivable that this should be proposed. He served as a Member of the Committee which sat last year; and if there was one thing more than another which they desired to impress upon the future military law, it was that the position of non-commissioned officers should be fenced about in every possible way, and be made so secure that they might be certain that nothing could reduce them except the sentence of a court martial. The one case in which exception was made was that of the 137th Article of War, which was intended to apply to the case of a non-commissioned officer who had been promoted without sufficient inquiry into his capability, or who had subsequently been found to be totally incompetent. In such cases, generally by the consent and by the desire of the individual himself, he was allowed to retire to the ranks. That, however, had nothing to do with the proposal now made; and he must express his astonishment that the right hon. and gallant Gentleman should suppose that this alteration would, in any degree, be for the benefit of the Army, or tend to raise the position of the non-commissioned officer. To his mind, it cut at the very root of that position, and rendered the rank of a non-commissioned officer insecure. It would, therefore, add to the difficulty, now already experienced, of obtaining proper men for non-commissioned officers; and, therefore, he trusted the Committee would not assent to it. The non-commissioned officer should be in such a position that, when accused of any crime, he should have a guarantee that he should only be tried by court martial, and only punished by court martial.

COLONEL STANLEY replied, that that was the case now, for an appeal was given to a district court martial, and the point he particularly cared about was that a non-commissioned officer could not be reduced to the ranks altogether. He felt rather strongly upon that point. He had very often seen cases where an offence by a non-commissioned officer had been passed by, because the punishment of reduction to the ranks was really disproportionate to the offence. They ought not to pass offences over; they ought to be dealt with; and, at the same time, they ought not to be punished too severely.

COLONEL MURE observed, that it was quite true that the power of appeal was given; but, still, the clause left the non-commissioned officer in the power of his commanding officer, unless he appealed. He was a Member of the Committee which considered all these questions, and he knew how earnestly they desired to raise the status of the non-commissioned officer. He was, therefore, astonished to find, when he read this Bill, that this clause had been put in. He should really like to ask the Secretary of State for War on whose authority he had included the clause? He had no hesitation in saying that if an appeal to the Army were made the clause would be condemned. It would make it far more difficult even than it was now to get men to serve as non-commissioned officers, and he should certainly support the Amendment.

MAJOR NOLAN remarked, that this clause turned the man from a respectable soldier into a flunkey; and it would be hardly safe for him to differ from his commanding officer in religion, smartness, or anything. A private soldier was protected against the caprice of his commander, because he was protected by court martial in all matters of pay and clothing, and because he did not so much rub up against the officer; he rubbed up against the non-commissioned officer. The commanding officer depended very much on the non-commissioned officers for the smartness of his regiment, and he got very indignant if they did not follow his views. No doubt, those views were generally right; but, still, there were some commanding officers who had fads. In a good climate, where all enjoyed good health, that did not matter so much; but in a bad climate, where men got ill, the non-commissioned officers would lead a very bad life, if they did not become entire flunkies. The appeal to a court martial was quite illusory. It might be satisfactory in some gross cases; but he might say that he had known some thousands of private soldiers receiving punishment for which they could legally appeal, and yet he only knew of one case in which a man appealed, and there the non-commissioned officer was going mad. If the commanding officer, however, were merely unmerciful, it would never do for the man to appeal; for, unless he was absolutely innocent, the court martial would feel bound to support the commanding officer, and would, probably, give an increased punishment. The men did not appeal, because they knew it was not then a question of getting one, two, or three days' imprisonment, but that the court martial would give them 21 days; while the sergeant would never appeal, because he knew the sentence would be total reduction to the ranks. Besides, by this clause, they destroyed the public opinion of the regiment. At present, a man did not like to send a bad case to a court martial, and was ruled in that way by the public opinion of the regiment. It was one thing to do an act on his own authority, and quite another to submit his action to four or five other people. Besides, in some cases, the officer might decide in a pet, and when angry. The appeals then would be very few, and would give no practical control; while this clause would have the very unfortunate effect of taking away from the non-commissioned officer the idea that he had a fixed position, and of making him think he must toady his commander, or else he might get broken. Even if he did not toady his commander, the idea would get abroad that somebody else had the commander's ear, and he would toady that somebody else. If a man spent 10 or 12 years in climbing to the rank of sergeant, why should he be treated differently from the ensign or lieutenant just appointed? He might not hold quite so important a position; but he ought to have the same protection. It could not be said that the clause was necessary to deal with extreme cases, because those cases were already provided for. He would not yield to anybody in his desire to keep up the position of the non-commissioned officer; and he, therefore, thought they would do well to leave out the words "and also any officer in any case." He also proposed to leave out sub-section 2.

Colonel ALEXANDER said, he would suggest to the right hon. and gallant Gentleman to put in the word "colonel."

Colonel STANLEY said, that, practically, the colonel of the regiment took action upon the officer in command of the regiment, and he imagined that that would amount to exactly the same thing as if the action were taken through the Commander-in-Chief. Perhaps that was a question which he might be allowed to reserve for the Report.

Mr. O'CONNOR POWER said, that he was very glad the right hon. and gallant Gentleman had acceded to the proposal of the hon. and gallant Member opposite. He, however, was waiting for the discussion to terminate, in order to ask the Secretary of State for War when he intended to report Progress. He need not remind the right hon. and gallant Gentleman of the arduous labours the Committee had undergone since they met in the afternoon at 4 o'clock, and the very important work that would require their presence in the House at 2 o'clock the next day.

Amendment *agreed to.*

Major NOLAN inquired whether the Secretary of State for War had made arrangements as to taking power for the convening officer to remit punishment?

Colonel STANLEY replied that that would be done.

On Motion of Colonel Stanley, the words "corporal punishment" were omitted from sub-section 4.

On Question, "That the Clause, as amended, stand part of the Bill?"

Mr. PARNELL said, he rose to ask the Secretary of State for War, whether he would not now consent to report Pro- Progress? ["No, no!"] In consequence of that expression of opinion, he would move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

Colonel STANLEY hoped that the Committee would consent to go a little further. They had proceeded very fairly up till then; and, so far as he could see, there was every reason to believe that the Committee was disposed to discuss the remainder of the Bill in a fair spirit.

Mr. PARNELL said, that Members would have to come to the House at 2 o'clock on the next day; and if they were to go on for another hour, the Government might tell them just the same thing at the end of it. He wished to know how far the Government proposed to proceed? One hon. Member said—"Finish the Bill." That was his idea. It was not his (Mr. Parnell's); and he thought they ought to understand what the Government wished to do, how far they wished to go, and at what time they intended to stop.

COLONEL STANLEY said, he hoped that, at all events, they would be allowed to proceed to the end of the Bill. He did not think it was a very great request to make to the Committee. As regarded the postponed clauses, if there were any that were not substantially opposed, he thought they might make some progress with them. At any rate, they were now on Clause 174, and he did not think there was anything that would lead to prolonged discussion up to Clause 180.

MR. O'CONNOR POWER said, he thought the disposition shown by hon. Members opposite was really not a very fair disposition. He considered, when a temperate appeal was made to the Secretary of State for War, that hon. Members opposite ought not to shout a speaker down, and to cry—"The Bill, the whole Bill, and nothing but the Bill." He apprehended that that was not the spirit in which the Government intended to deal with the opposition. He thought the statement of the Secretary of State for War was very unsatisfactory. They had made very satisfactory progress with the Bill; and he trusted that after they had disposed of the very important question they had to argue the next day—which he hoped would not take long—they would be able to proceed with the further consideration of the Bill. The right hon. and gallant Gentleman had not only suggested that they should endeavour to get through the remaining clauses of the Bill, but also had hinted at some postponed clauses. If that was to be the declaration of the Government, he did not see how they could answer it in any other way except by dividing on the Motion to report Progress. He was as much disposed as any Member of the Committee to take a fair and impartial view of the situation; but he, for one, could not accept that proposal. He presumed that if the majority of the Committee wanted a Division they would go to a Division; and, so far as he was concerned, he had no objection to one Division or 20; but he was prepared to go on so long as there was a prospect of making fair and intelligible progress.

MR. CHILDERS said, it seemed to him that their great object should be not to waste time. If he understood the Secretary of State for War aright, he proposed that they should go on with the Bill till they came to the postponed clauses, and then take some of the least objected to of these. He would suggest that they should not proceed with those clauses, because, if they began them, they would very soon arrive at contestable matter. He hoped the right hon. and gallant Gentleman would accept the suggestion now held out to him, and only go through the clauses to the Schedules, and leave the postponed clauses for another day.

COLONEL STANLEY said, he thought that was a very fair proposal. As the right hon. Gentleman had pointed out, the mere fact that the clauses had been postponed showed that they contained debatable matter, and, therefore, he would not press them at that time.

MAJOR NOLAN hoped this suggestion would be acceded to by the hon. Member for Meath. He must confess that, during its progress, his mind had become very much changed towards the Bill, and he now considered it to be very much better than the old Mutiny Acts.

MR. PARNELL thought that, on the whole, they might agree to the proposal. There was no necessity for them to sit up all night discussing whether they should go on with the Bill or not. The few remaining clauses of the Bill were not very important; and as the Secretary of State for War had now conceded what he (Mr. Parnell) had asked him to do, and had said how far he wished to go, he (Mr. Parnell) could say how far he, for his part, was prepared to go. He supposed that the right hon. and gallant Gentleman would himself move to report Progress when the 180th clause had been passed.

Motion, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 174 (Special provisions as to application of Act to persons not belonging to Her Majesty's Forces).

SIR GEORGE CAMPBELL moved to omit certain words, of which the effect would be to place civil and political functionaries, such as special Commissioners accompanying bodies of troops, under the command of the officer commanding the troops. He said it would be very startling to find that a high official of the Diplomatic Service should, under that section, and for the purposes of that Act, be under the command of the commanding officer of the party to which he was attached. He had some knowledge upon the point. He had himself been a special Commissioner, with large powers, accompanying troops; and, as he had thought at the time, in a higher position than the colonel or major, or whatever officer it was in command of the troops; and he should have been somewhat surprised to learn that he was in a subordinate position.

Colonel STANLEY said, he did not quite like taking the words out of the clause, because, under the section, and for the purposes of discipline, would come Staff clerks and other officers not borne upon the regimental pay list. He would, however, take a note of the point raised by the hon. Gentleman, and would see whether it could be arranged upon the Report.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 175 (Special provisions as to reserve man).

Major NOLAN said, that he always looked with very great suspicion on any method of dealing with their Reserves which was not employed by Continental nations. So far as he knew, all that they did was to pledge the Reservist to keep the authorities informed of his address. So long as the soldier did that, he did not think he ought to be subject to punishment for not coming up to receive his pay.

Colonel STANLEY said, he quite granted that they should be very careful as to how they proceeded with those men; but he thought there was nothing very unnatural in saying that a man should assign a reasonable cause for absence. As a matter of fact, a letter, or other communication, would be sufficient to assign a cause; and he was glad to find that, as the Reserve Regulations were becoming better known, the men were dropping more into the regular system.

Clause *agreed to.*

Clause 176 (Special provisions as to application of Act to Ireland) *agreed to.*

Saving Provisions.

Clause 177 (Saving of 29 and 30 Vict. c. 109, s. 88, as to forces when on board Her Majesty's ships) *agreed to.*

Clause 178 (Saving as to prerogative of Her Majesty).

Colonel STANLEY asked leave to withdraw the clause, as it was proposed to bring up another in exactly the same terms as the old Act.

Clause, by leave, *withdrawn.*

Definitions.

Clause 179 (Application of Act to Channel Islands and Isle of Man) *agreed to.*

Clause 180 (Interpretation of terms).

Mr. J. BROWN moved, in page 104, after line 30, to insert—

> "The expression 'in the execution of his office,' as applied to an officer or non-commissioned officer, means whenever he is with his regiment, or with any regiment to which he may be attached for duty, or with any part thereof, respectively."

He said that his object in moving the Amendment was to obtain from the Judge Advocate General an opinion upon the subject of the expression of "an officer in the execution of his duty."

Major NOLAN said, it seemed to him that an officer would always be in the execution of his office if this Amendment was put into the Bill, and it would be a certain protection to the non-commissioned officer as against the private soldier; but it would, at the same time, be somewhat of a hardship upon the non-commissioned officer, who would be liable to conviction for offences which would be no offence whatever, if he happened to hold a commission, or to be in the position of a private soldier. In saying this, he did not, for a moment, deny that there ought to be a difference in the punishment for offences committed by soldiers when on and off duty.

Mr. CAVENDISH BENTINCK said, the paragraph in the clause to which objection was taken seemed to be a relic of an order introduced by the late Duke of Wellington, in reference to the time at, and during which, a non-commissioned officer was to be considered to be on duty with his regiment. He could not see that the Amendment proposed would advantage the non-commissioned officer, inasmuch as it was necessary to provide that when in uniform he must be considered to be on duty with his regiment.

Amendment, by leave, *withdrawn.*

COLONEL STANLEY moved, in page 104, line 32, to leave out the definition of a soldier, and insert—

"The expression 'soldier' does not include an officer as defined by this Act, but, with the modifications in this Act contained in relation to warrant officers and non-commissioned officers, does include a warrant officer not having a honorary commission and a non-commissioned officer, and every person subject to military law during the time that he is so subject."

Amendment *agreed to.*

MR. H. SAMUELSON moved to amend the clause by the insertion of words to except the Island of Cyprus in time of peace, in order to protect the soldiers serving there, Cyprus being, technically, a military and a foreign country.

COLONEL STANLEY said, the Amendment was not necessary, because the provisions as to military occupation did not apply to the circumstances of Cyprus.

MR. CHILDERS asked, if this was so, whether Cyprus would be considered in the light of a Colony?

COLONEL STANLEY replied in the negative, and added that though there were a few British troops on the Island it did not follow that they were even, technically, "on active service."

MR. H. SAMUELSON insisted that some words should be inserted to provide for possible contingencies in Cyprus. They had it on the authority of the Prime Minister that it was "a place of arms," for which this country paid a rent, and to the fee simple of which they had no more right than he had to a house which he hired in town for the season.

COLONEL MURE thought the question was one which required clearing up, and suggested to the Secretary of State for War that he should re-consider it, and make some proposal on the Report.

MR. ASSHETON CROSS remarked, that as his right hon. and gallant Friend the Secretary of State for War had stated, the question had already been considered, and no alteration in the clause was thought necessary. He would, however, undertake that the Law Officers of the Crown should be consulted on the matter between now and the Report, and, if thought necessary, words could be inserted.

Amendment, by leave, *withdrawn.*

SIR DAVID WEDDERBURN moved, in page 108, line 7, after "court," to insert—

"Or any magistrate or magistrates to whom jurisdiction is given by 'The Summary Procedure (Scotland) Act, 1864.'"

Amendment *agreed to.*

MR. J. BROWN moved, in page 108, at the end of the clause, to add—

"For the purpose of deducting pay a part of a day shall not be reckoned as a day unless it consist of six hours or upwards."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

House *resumed.*

Committee report Progress; to sit again *To-morrow,* at Two of the clock.

METROPOLITAN BOARD OF WORKS (WATER EXPENSES) BILL.—[BILL 204.]

(*Sir James M'Garel-Hogg, Sir Charles W. Dilke, Mr. Rodwell.*)

SECOND READING.

Order for Second Reading read.

SIR JAMES M'GAREL-HOGG: I cannot expect, at the time of night we have now arrived at, to enter into a full explanation of this Bill; and I think the best thing for me to do is to move the second reading, and very briefly to state what I know the Board wish to do. With regard to my hon. Friend the Member for Midhurst (Sir Henry Holland), who has removed his Notice from the Paper, I may say that, as long as I have the honour of holding the position I do, I will never again put down my name to any Bill without some consultation with the Government. With regard to my hon. Friend opposite the Member for Gloucester (Mr. Monk), I know he objects to the expenses; but I will take care to put in a Schedule in the Bill in Committee explaining the whole matter, and I may tell my hon. Friend the Member for Gloucester that a large question like this, of the supply of fresh water for the whole of the Metropolis, was very expensive, and we found it necessary to consult the best engineers and the best chemical analysts to test the various qualities of water. When we went into the question it appeared desirable to provide a double source of supply; and, after a long consultation, we found that a saving of upwards of £130,000 a-year would result from the adoption of a double supply, as compared with the cost of the necessary alterations in the existing supply. My hon. Friend wishes to make a statement, and I think I shall best consult the convenience of the House by reserving any observations I may have to make for my reply, although I am prepared to go into the whole question. I beg, therefore, to move the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir James M'Garel-Hogg.*)

MR. MONK: The Amendment that I have had on the Paper for the last fortnight, or more, I removed at the request of my hon. and gallant Friend, who undertook to make a statement in defence of the action of the Board of Works in promoting the Water Bills of last Session. I am a little surprised that my hon and gallant Friend has made so brief a statement, and one not in any way explaining the merits of the case; but as he has said he will reserve his defence, I will, as briefly as I can, state the allegations I have to make against this Bill; and I shall conclude by moving the Resolution that has been standing in my name—

> "That, in the opinion of this House, no justification is shown in this Bill for the large expenses incurred by the Metropolitan Board of Works in the preparation and in the abortive promotion of the two Bills for which they ask an indemnity from Parliament."

It will be in the recollection of the House that last year the hon. and gallant Member introduced two measures into Parliament—one was introduced as a Public Bill, and the other, I believe, as a Private Bill; but I am not quite certain about that. [SIR JAMES M'GAREL-HOGG: It was so.] In the case of the public Bill the expenses ought not to have been very great; because the promoters were spared the Parliamentary fees and costs that any other town or Corporation in the Kingdom would have had to bear; inasmuch as they would have to bring in their Bill as a Private Bill; but that is a small part of the objection I have to this proposal of my hon. and gallant Friend. The Metropolitan Board of Works having brought in these Bills they were, as a matter of course, read a first time, and subsequently a discussion took place on the second reading; but I am sorry to say those hon. Members who took part in the discussion on the Water Supply last year are now conspicuous by their absence. I do not know why that is the case; but, probably, they were not aware a Bill of this importance would be brought on at 2 o'clock in the morning. I have no doubt the Metropolitan Board of Works were actuated by the best motives in seeking to provide a pure supply of water for the Metropolis; but whether they were the proper body to undertake that duty is a very different question, and one upon which, I think, it was obligatory on the Chairman of the Metropolitan Board of Works to have consulted Her Majesty's Government. But my hon. and gallant Friend did not take that course. He introduced these Bills, and has been good enough to place in my hands the Schedule which I believe he intends to move in Committee, showing in what way those costs were incurred. Amongst them is a very large item for counsel's fees. I cannot but think if my hon. and gallant Friend had expended a small part of that sum in taking the opinion of counsel as to the legality of the proceedings of the Metropolitan Board of Works, it would have been a wiser course than that adopted; but I presume he did not do so, for if he had, he would have found out that the course the Board had adopted was certainly illegal. I am astonished my hon. and gallant Friend has not alluded to the Acts of Parliament under which the Metropolitan Board of Works were called into existence, and in which all their duties and all their powers are carefully accurately defined; but in this case, I think, he has been found wanting. If he had looked at the Acts that regulate the proceedings of the Metropolitan Board of Works, he would have seen they had no power to acquire Water Works, buy Gas Works, and initiate important schemes of that nature. In this Bill the Metropolitan Board of Works take credit for having incurred those expenses in good faith, and believing they were, in promoting the

Bills, making application to Parliament for further powers for the public benefit of the inhabitants of the Metropolis. Why has not my hon. and gallant Friend given us some reason for not having consulted the counsel who are usually consulted by the Board? Why did the Board incur those enormous expenses? For, although my hon. and gallant Friend has not stated what the amount is, in the account he has placed in my hands I find the amount to be between £15,000 and £16,000, and I shall presently have to call the attention of the House to some of those items. In the first place, the amount which is paid to counsel is £1,045. Then, there are two distinct accounts; but one is of the amount paid in 1878, and the other which is paid, or payable, in the year 1879. That which was paid last year has been disallowed by the auditor, and, therefore, that payment is illegal; yet, notwithstanding that, I find in the Bill before us it is stated that questions have been raised, and are still pending, as to the legality of the Metropolitan Board of Works defraying those expenses. I ask the House, if such questions are still pending, is it not premature to introduce a Bill of this nature? I should be glad to know whether this question is still pending. Is my hon. and gallant Friend prepared to admit that the act the Metropolitan Board of Works have committed is illegal; or is he prepared to submit to a court of competent jurisdiction the question whether they were justified in incurring these expenses or not? If he is prepared to abide by the latter course, I say at once the Preamble of this Bill is not proved, and we ought not to proceed further with the Bill, at all events this evening, until the question has been decided. Now, the items are remarkable. We have, first, the amount paid to engineers, which is very small—100 guineas; but I find there is another for chemists of £1,438, and for Parliamentary Agents of £1,378. I have stated that engineers have been paid 100 guineas; but an item is still owing to them *re* new works and purchase of existing works, and as witnesses, amounting to £6,320 7*s*. 8*d*. I should be glad to know what are those new works which have been executed by the engineers without the sanction of Parliament? Let me remind the House that the Bills were read a first time. [Sir JAMES M'GAREL-HOGG: One was read a second time.] One was, but the other was not; and it is really trifling with the House for my hon. and gallant Friend to make that remark, inasmuch as he dropped both the Bills at an early stage. Yet I find that £6,320 was spent upon works, and my hon. and gallant Friend is not justified in coming to this House and asking it to indemnify the Board for an expense of that nature. Now, Sir, I want an answer to this question. The Metropolitan Board of Works, I understand, were divided on the question as to the propriety of bringing in these Bills in 1877. I do not know—for I have not inquired—as to the number of members of the Board of Works who opposed the proposal—but I believe there was, at all events, a considerable dissentient minority. The Board of Works were warned, over and over again, that their proceedings were illegal before they brought in those Bills, and yet they persevered with them; consequently they do not come with a good grace, when they seek to saddle the ratepayers of the Metropolis with the expense. I speak on this as a public question; and I say it is not fair to seek to saddle the ratepayers with £15,000 or £16,000 in respect of schemes which they were not justified in bringing forward. Well, Sir, having done with the engineers, I find an item which has already been paid for costs—£1,438 for analysis; district surveyors, £270; Parliamentary costs, £1,378—a considerable item; maps and plans, £400; and advertisements, £1,100. What on earth were those advertisements for? I must ask the question, for I have some doubts on the subject. Were they in respect of the purchase of land for the erection of works, or were they connected with the Parliamentary requirements in reference to the Private Bill? Well, Sir, the whole of those costs amounts to £15,146. Of course, it would be a great hardship, and I do not for a moment say that it ought to fall on my hon. and gallant Friend, or on his Colleagues individually; but, collectively, I think they are liable to blame for what they have done; and I think there should be some guarantee on their part that such steps shall not be taken by them in future—at all events, they will now have received fair warning, if they go beyond the letter or spirit of their Acts, that such expenses will fall upon them. This is not the first time the Metropolitan Board of Works have exceeded their powers. Some few years ago they expended illegally some £4,000 on the erection of a pavilion and seats in Hyde Park on the occasion of a National Thanksgiving; that offence Parliament condoned; consequently, it is not with the best grace possible that they come again before Parliament to ask for another indemnity—at all events, it is a great hardship on the ratepayers of the Metropolis. The first objection I have to the Bill itself is that no sum is named in it. The 2nd clause provides that the Metropolitan Board of Works may defray the expenses incurred by their order in the promotion of the said Bills, and preliminary and incidental thereto. I object to the wording of that clause; and I do so because it asks Pariament to affirm the legality of that which is illegal *ab initio*. You cannot make what has been done illegally a legal act. You may condone the offence of the Metropolitan Board of Works and defray those expenses, and override the decision of the Auditors; but you cannot, even by an Act of Parliament, say what is done illegally is legally done. The costs or expenses preliminary to, and incidental to, the preparation of this Bill are to be paid by the Metropolitan Board of Works. I ask, what are the expenses of preparing a Bill of this nature? Would five guineas be the total expense? Let us know what the amount is. I object to such a clause being inserted in a Public Act, even though it is promoted by the Metropolitan Board of Works.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. MONK resumed: I shall not detain the House much longer. I wish to draw attention to the fact that no amount is mentioned; but I understand that my hon. and gallant Friend undertakes to insert in the Bill a Schedule, giving the items of expenditure in detail. He has given that promise to my hon. Friend the Member for Glasgow (Mr. Anderson), who asked for the statement. If, however, there is a question pending with regard to the legality of those expenses, I think that should be first decided. The words are, "questions have been raised and are pending." I will not press the matter further, if, as I understand, the Chancellor of the Exchequer will move to expunge those words in Committee. There is no doubt that the functions of the Board of Works are most important—they are most useful—and have been carried out with general approval. They are a very important body—at the same time a very costly body, in some respects an extravagant body—and I believe that is the general opinion of the ratepayers of the Metropolis. I am very sorry to see there are so few of the Metropolitan Members present; but the hon. Member for Chelsea (Sir Charles W. Dilke) is present; his name I see is on the back of this Bill, and, no doubt, he will speak on behalf of the ratepayers; indeed I hope he will urge—as I have endeavoured to do—that the Board will be more careful in the future in taking steps of a similar nature. Petitions have been presented, and meetings have been held in the Metropolis in regard to this Bill, and resolutions have been passed by the Livery of the City against the conduct of the Board of Works; but I do not consider it necessary to take up the time of the House by reading them. I have raised this question as a public question, one which, I think, is well worthy the consideration of the House. I will not further detain the House, but beg to move the Resolution I have placed in your hands.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, no justification is shown in this Bill for the large expenses incurred by the Metropolitan Board of Works in the preparation and in the abortive promotion of the two Bills for which they ask an indemnity from Parliament,"—(*Mr. Monk,*)

—instead thereof.

Question proposed, "That the words proposed be left out stand part of the Question."

Sir HENRY HOLLAND: I will not detain the House for more than two minutes; but as I had my name down for a short time as opposing the second reading, I wish to point out that I was fully justified in withdrawing it, in consequence of the full statement of the hon. and gallant Member, that he will undertake not to put his name to any Bills like those of last Session in the future without the consent of Her Majesty's Government. These Bills have cost the ratepayers some £16,000. They cost the Water Companies—although they combined with a view of reducing the expenses of opposition — some £11,000; and that money, therefore, has been simply and entirely wasted, because of those Bills having been brought in. The second Water Supply Bill was only brought in by a majority of 3—on the Metropolitan Board the numbers being 20 to 23—and on the 8th of December, when the draft was brought before the Board, the Preamble was only carried by 5—the numbers being 12 to 17, I think those circumstances fully justified me in putting down the Notice of opposition to the second reading of the Bill. The statement, however, of my hon. and gallant Friend, that he would not apply again in this way, has justified me in withdrawing it.

THE CHANCELLOR OF THE EXCHEQUER: I think it would be desirable some considerable reduction should be made in the recitement of the Preamble, and I should propose to strike out a considerable portion of it. I should also strike out "now pending," and add, at the end of Clause 2, "that such expenses be duly audited." I give Notice of those in Committee, and, with that qualification, I think we may agree to the second reading; but, at the same time, I think it is a matter in which they have exceeded their powers.

MR. LEEMAN: When the Bill is known throughout London—which I expect it will be after the discussion of to-night—there will be a strong opinion against it. It is idle, at this time of day, for the Metropolitan Board of Works to tell the people of London that they could not know they were doing that which was an illegal act. Sir, it happens in the country, when public Bodies like Municipal Corporations take upon themselves to exceed their powers, they are visited — and I do not see why the Metropolitan Board of Works should be placed in a different position — with the consequences, and could get no bill of indemnity such as this. I object to this Bill; and I am quite certain, when it is known throughout London, the people of London will set their faces most strongly against it. I, for one, will divide the House on this question, and will not allow it to pass the second reading without a protest.

SIR CHARLES W. DILKE: I am not aware why the hon. Member for York should speak for the ratepayers of London.

MR. LEEMAN: I have been for years a ratepayer of London; and on that ground, if on no other, I am entitled to enter my protest against this Bill.

SIR CHARLES W. DILKE: As a Representative of a London constituency, I have a right to support this Bill; and if the House think well to go straight to the question, or ask why these Bills were introduced last year, I may say it was because the people of London are poisoned by the water supplied by the Water Companies, and wronged by their charges. There is the strongest feeling against the treatment the people have received at the hands of the Water Companies.

MR. BARING: I wish to say it will be a very wrong thing to pass, at this hour of the night, a Bill for the allowance of such an expenditure by so important a public body, which ought to have availed itself of the means it had to get proper legal advice.

MR. ONSLOW: I hope the House will pass this Bill. These Bills were brought in—I may say it was almost the result of that Committee on which I have had the honour of sitting—namely, that on the Metropolitan Fire Brigade, for, though we did not go into the question of the supply of water for domestic purposes, we could not help seeing that the water supply of the Metropolis was in a very bad state. It should also be remembered by the House that the expenses for consulting the most experienced engineers are very heavy, and that the Metropolitan Board of Works have to find the best help they can among the civil engineers, and, as we all know, they charge a very high price indeed for their professional services. I am not interested in any gas or water shares, and, at the present time, I am not a ratepayer; so that I can speak perfectly independently from the facts brought before me when I sat upon that Committee, and I hope that the water supply of London, by some plan or other, may be improved. I hope the House will agree to the passing of this Bill, as I think it is perfectly necessary.

Sir JAMES M'GAREL-HOGG: I think I may appeal to the sympathy of the House in the course I have taken in bringing my case before them. I was perfectly prepared to enter fully on the whole question; but I refrained from doing so at so late a hour. As to the legality which has been questioned, allow me to ask the House to have patience, and hear the 144th Section of the Metropolis Management Act, which is as follows:—

> "The Metropolitan Board of Works shall have power to make, widen, or improve any streets, roads, or ways, for facilitating the passage and traffic between different parts of the Metropolis, or to contribute and join with any persons in any such improvements as aforesaid, and to take by agreement or by gift any land, rights in land, or property, for the purposes aforesaid (or otherwise) for the improvement of the Metropolis, on such terms and conditions as they may think fit; and such Board where it appears to them that further powers are required for the purpose of any work for the improvement of the Metropolis or public benefit of the inhabitants thereof, may make applications to Parliament for that purpose, and the expenses of such application may be defrayed as other expenses of the said Board."

We have been for the last 23 years doing our best for the good of the Metropolis; we have, by our action with regard to gas legislation, been the means of improving the quality and reducing the price of gas; we have done, year by year, all we could to improve the general condition of the Metropolis, and the auditor has passed the accounts. There has never been a single question raised as regards the power of the Board to promote Bills, until the present occasion; and it is by no means clear that the decision of the auditor is right. We have had counsel's opinion, and there is great variance in the views expressed on the subject; but, in order to set the matter at rest, we thought it right to come to Parliament for an Act of Indemnity; and I hope, next Session, Her Majesty's Government will introduce a Bill for the purpose of letting us know what our powers really are.

Mr. BOORD: I wish to explain the reason for my vote. I shall vote for the Bill; and I shall do so because I understood the hon. and gallant Member has promised that such a thing shall not occur again. I think the Metropolitan Board are a very extravagant body; and though they do some good, they do that good in a most extravagant and costly manner.

Colonel MAKINS: I wish to refer to one remark of the hon. Member for Chelsea (Sir Charles W. Dilke). He says the water of London poisons the persons who drink it. Whatever else the Water Companies have done—whether they have robbed and poisoned the people or not—they have done all they could—they have carried out their bond; and I think it is a strong way of putting things, when they have done all they could, that they should be accused of robbery and murder.

Question put.

The House *divided*:—Ayes 37; Noes 12: Majority 25.—(Div. List, No. 158.)

Main Question put, and *agreed to.*

Bill read a second time and *committed* for *Monday* next.

Mr. MONK: I wish to ask my hon. and gallant Friend if, before Monday, he will place on the Paper the Schedule which was asked for by my hon. Friend the Member for Glasgow (Mr. Anderson)?

Sir JAMES M'GAREL-HOGG: The Schedule will be put in the Bill.

Mr. MONK: Unless the Schedule is placed on the Notice Paper, I beg to give Notice that I shall move that the Bill be committed on that day three months. I do that because the hon. and gallant Member gave a distinct pledge that he would place the Schedule in the Bill.

Sir JAMES M'GAREL-HOGG: I said I would have it put in the Bill.

Mr. MONK: Then I withdraw my Notice.

House adjourned at Three o'clock.

HOUSE OF LORDS,

Friday, 11*th July*, 1879.

MINUTES.]—Private Bill—*Report*—Thames River (Prevention of Floods) *.

Public Bills—*Second Reading*—Civil Procedure Acts Repeal * (132).

Committee — University Education (Ireland) (134).

Committee—Report—Wormwood Scrubs Regulation * (128).

THE CATHEDRALS COMMISSION—CONSTITUTION OF THE COMMISSION.

QUESTION.

THE ARCHBISHOP OF YORK asked Her Majesty's Government, Whether there is any objection to amend the Royal Commission on Cathedrals, so as to include in the number of the Commissioners the Visitor of each Cathedral in turn as well as the Dean and one of the Canons, when the statutes of the Cathedral are under consideration?

THE EARL OF BEACONSFIELD said, he had considered the proposal of the most rev. Prelate. It appeared to him that the Royal Commission would be perfectly competent to deal with all the circumstances involved in the subject of their inquiry. In fact, to deal with those circumstances was the principal reason why the Royal Commission had been recommended. He might say, generally, that it appeared to him that the Ecclesiastical and Cathedral interests were sufficiently represented; and, therefore, though with regret, he must decline to recommend any modification of the Royal Commission.

ELECTION OF REPRESENTATIVE PEERS FOR SCOTLAND—THE EARLDOM OF MAR.

QUESTIONS. OBSERVATIONS.

THE MARQUESS OF HUNTLY (Lord MELDRUM): My Lords, I rise to call attention to the recent election of Representative Peers for Scotland at Holyrood, and to ask Questions relative to the Earldom of Mar Peerage. At the outset, I must say that the recent election at Holyrood was contrary to the spirit and the letter of the Report of the Committee of the House of Lords which has been before your Lordships. The Earldom of Mar, as your Lordships are aware, is involved in great mystery. I am not going back to the Dark Ages, which some historians say the title springs from, but will only refer to the present generation, and I hope I shall be able to make myself perfectly clear. Before describing the election proceedings, I will shortly call to mind how the question is raised, and how it has stood since the Report of the Committee of 1877. The late Earl of Mar, who was also the Earl of Kellie, died in 1866, and Mr. Goodeve Erskine, who had always been recognized as the heir through the female line, became Earl of Mar; whilst Colonel Erskine succeeded to the Kellie title through the male line—and it was in this manner that the two titles became separated. Lord Mar voted repeatedly at Holyrood, and this was protested against on one or two occasions. A very curious thing occurred in the General Election of 1868, when there was a double return. The noble Lord's father and Lord Rollo were elected, and neither of them could take their seats in this House, because, if this had been done, there would have been 17 instead of 16 Representative Peers. In 1869, the late Lord Kellie petitioned the House to amend Lord Mar's vote; but instead of proceeding with the Petition he withdrew it. After Lord Kellie's death, the present noble Lord presented a Petition to Parliament claiming the title of Mar. The present Lord Mar opposed the claim. The matter came before your Lordships' House; and, after a considerable time, the Committee of Privileges decided, on the 25th February, 1875, that Lord Kellie had made out his claim to an Earldom of Mar dated 1565. On the following day there was an Order transmitted to the Lord Clerk Register, which had an important bearing on the case; and at the next election of Representative Peers there was considerable disturbance, there being two Earls of Mar present, and so unseemly were the proceedings that they ended in a great deal of rather undignified conversation. The Lord Clerk Register would not hear the Earl of Mar; but no one protested against him. After a few months had elapsed, the noble Duke opposite (the Duke of Buccleuch) brought forward a Resolution on the subject, to the effect that at the meeting of the Peers of Scotland, assembled by Royal Proclamation for the election of Peers, the Lord Clerk Register or the Clerk of Session should call the title of Mar on the roll of Peers according to the Resolution of the Committee of Privileges on the 26th February, 1875. The noble Duke moved that; and I moved the Previous Question, maintaining that it was impossible to alter the Union Roll, where the date of a Peerage had been fixed by the Act of Union and the Decreet of Ranking. The question was referred to a Committee, and I think it was the opinion of the majority of the Members—and I can safely assert that it is the almost unanimous opinion of the majority of Scotchmen—that you cannot have tampering and tinkering with the deed Roll of Peers. The Committee declared that the ancient Earldom was on the Union Roll, and that Lord Kellie had not got it, but a Peerage dated 1565, which was not on the Roll, and which was given him by the Committee of Privileges. They did not recommend any Order on Lord Kellie's Petition, but left the Statute of 10 & 11 *Vict.* c. 52, to provide for any future claim. I have now given a brief *resumé* of the history of these two Peerages. And now I will come to what occurred the other day at Holyrood. The Roll of Peers of Scotland was called, and the moment the Earldom of Mar was called, the Earl of Kellie answered to the title which was called out as it stands on the Roll. His vote was protested against by two noble Lords present this evening, and by about nine or ten Peers by proxy; but his vote was, as far as I can learn, received and accounted for. What, under the circumstances, has the Clerk Register done? Has a certified copy of the whole proceedings been submitted to the Clerk of the Parliaments? Under the 3rd section of this Statute it was enacted that if at a meeting for the election of Representative Peers a protest against a vote be made by two or more Peers present, the Lord Clerk Register shall forthwith transmit to the Clerk of the Parliaments a certified copy of the whole proceedings; and I want to know whether such a certified copy was made, and what it is the intention of the Government to do in the matter? If the proceedings have been submitted to the Clerk of the Parliaments, this House may order the claimant to come forward and establish his claim. On this question we are in a painful and peculiar dilemma. In the first place, the Committee of Privileges have decided that Lord Kellie does not hold the Peerage which stands on the Roll, but has got a Peerage dated 1565; he tenders his vote, and it is recorded. So the Lord Clerk Register is in this predicament—he has either accepted a vote from a Peer holding a Peerage which is not on the Union Roll, or he has allowed a Peer to vote for a Peerage under protest of two Peers present, without transmitting a Report of the proceedings to this House, and in defiance of the decision of the Committee of Privileges affirming that the Peer in question has not made good his claim to that Peerage. That is an awkward predicament, and it is an important question for the Peers assembled at Holyrood to know whether a vote should be recorded or whether the Union Roll should be altered or not. But the Lord Clerk Register has done even worse than this. He has actually received the vote of a Peer who is under attaint at the present time. I must go back again slightly to prove this to your Lordships. When Mr. John Francis Erskine, in 1824, appealed to the Crown to be restored to the titles of honour of his grandfather, who died in 1715, that Petition was referred to Sir John Copley. The Law Officers of the Crown inquired into the matter, and reported upon it. Mr. Erskine was the grandson of Lord Mar, who used the title in 1716. His mother, Lady Frances Erskine, was the only child of the attainted Earl who had issue, and she married her cousin, who afterwards became heir male of the family. But this is the most important point in the whole discussion. When it was referred to Lord Lindsay to decide whether Mr. Erskine had proved his right to the title of Earl of Mar, he distinctly reported in favour of Mr. Erskine, ignored Mr. Erskine's father, and as for the male heirship, only mentioned him as the legal husband of Lady Frances Erskine. The Law Officers of the Crown also reported that the grandson of the attainted Earl had made out his title and proved his pedigree solely through his mother. Therefore, he was restored, and placed on the Union Roll above the Earl of Rothes. It was clear that any other Earldom of Mar, except the one restored through the female succession, could not have been excluded from the attaint. The Peer holding that title, dated 1565, is still under the "ban;" but he votes as the old Earl of Mar on the Roll, and holds a Peerage by a Resolution of the Committee of Privileges, which was not included in the dignities restored by the Crown under the Report of the Law Officers in 1824. What I want to know is this. Can the Lord Clerk Register call the new Earldom of Mar, dated 1565, in any place on the Roll, when the Report of our Committee says that order of precedence on the Roll has never been altered? We distinctly proved before the Committee that there was no precedent for any alteration. You can put a Peerage up; but there is no precedent for bringing a Peerage down. Ought not Lord Kellie to be prevented from voting for a Peerage which the Committee of Privileges have decided against him; and from tendering his vote for a Peerage not on the Union Roll, and which is under attaint, if it exists at all? I bring the subject forward without any wish to open up sores which I hoped long ere this had been healed. A General Election may, I believe, take place soon; and what will be the result then? There will be strong protests against the Roll being received. I appeal to the Lord Chancellor to get us out of this muddle. I have no desire to disturb the harmony usually existing at the election of Scottish Peers; but there is clearly a flagrant violation here which should be put right, and I shall continue my protests against any Peerage which does not exist being on the Roll.

THE LORD CHANCELLOR: The noble Lord communicated to me two Questions which he proposed to put to me, and I will answer them to the best of my ability. I have no intention whatever of following the noble Lord in the range of discussion upon which he has entered. I cannot imagine what possible object the discussion can have in this House, after the decision at which the House has arrived. I will state the two Questions which the noble Lord put to me, in order to make the matter intelligible. The first Question, as I understand it, was, Whether the Lord Clerk Register was right and justified at the recent election at Edinburgh, when the Mar Peerage was called in the course of calling over the Roll—was he justified in receiving the answer to this Peerage from the noble Lord the Earl of Mar and Kellie? All that I have to say upon that subject is this—that the Peerage on the Roll which is called the Mar Peerage is not the Peerage which has been attached in this House to the Earl of Mar and Kellie; and, therefore, the Earl of Mar and Kellie should not be allowed to answer in this call. Now, as to the Resolutions of your Lordships' House, I have no right to interpret them; but I will state what I understand they mean. In 1875, the Committee of Privileges made a Report to the House on the Peerage to the effect that the petitioner, Walter Henry Earl of Mar in the Peerage of Scotland, had made out his claim to the Earldom of Mar created in 1565, and ordered that at future meetings of the Peers of Scotland assembled under Royal Proclamation for the election of a Peer the Lord Clerk Register do call out the Earl of Mar according to his place on the Roll, and that the Peer called at such election should receive for the county the vote of the Earl of Mar claiming the vote, and permit him to take part in the proceedings of such election. Now, the Roll of the Peers of Scotland is a public document, and in that Roll there is only one entry of the Earl of Mar. It may be in its right or wrong place—I cannot say anything about that—it is there, and it is to that that this Resolution must have necessarily referred, and there is nothing else for the Lord Clerk Register except to call, and when he is called, he is told he is to receive the county vote. I do not see how any question can arise as to the duty of the Lord Clerk Register. The Order of your Lordships pre-supposes that he is to call the title of the Earl of Mar. The second Question is this. Protests were entered, as I understand, at a recent election against what was done, against Lord Kellie being allowed to answer to the call of this Peerage; and the noble Lord asks, Whether the Lord Clerk Register ought not to have referred the whole proceeding to the House of Lords, in pursuance of the Statute 10 & 11 of the Queen? This is rendered plain by the words of the Statute. The Statute says—

> "That if at a meeting for the election of a Representative Peer any person shall appear and vote, or claim to vote, in respect of any title or peerage on the Roll, and if any protest is made by two Peers present, the Lord Clerk Register is to transmit to the Clerk of the Parliaments a certified copy of the whole proceedings, and the House of Lords may order the person, whose vote or claim has been protested against, to establish the same before the House; but if he does not appear, or fails to establish his claim, the House will order that his vote shall not be received or counted at any future election."

The Earl of Mar should have been called upon to establish his title here; but he has never done so. If there is to be a protest entered against any person who has not established his title, that protest is to be set forth, and the House of Lords may call upon that person to establish his title. These are the answers which

I should respectfully offer, and I do not desire to take any further part in the discussion.

LORD BLANTYRE: My Lords, on the death of Alexander Earl of Mar, in 1435, Sir Robert Erskine claimed the Earldom through his wife, and assumed the title. His successor, Thomas, first Lord Erskine and second Earl of Mar, was dispossessed of the Earldom in 1457 by the Assize of Error. The succeeding Lords Erskine never ceased to claim the Earldom; but it was retained and enjoyed by members of the Royal Family of Scotland. In 1565, John, fifth Lord Erskine, and properly sixth Earl of Mar, obtained a re-hearing of the case, when he clearly proved his rights and was reponed by Queen Mary in the Earldom, *restituit per modeam justitiæ.* The common sense view of these facts is, that the Queen restored to the Erskine family—who had possessed the Earldom for 22 years, 1435-57, were then deprived of it, but on a new trial in 1565 established their right to it by female succession—that which they claimed, and did not create instead a new Earldom confined to heirs male only. On these grounds, I hold that the decision of the House in favour of there having been a new Earldom created in 1565 was erroneous; that there had been all along one Earldom, which should have been awarded, not to the Earl of Kellie, but to Mr. Goodeve Erskine, the heir by female descent.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES): It appears to me an extraordinary thing to attempt to resist the decision of this House upon a point which no other body but the House can decide. By the Union with Scotland the Peers of Scotland are placed in precisely the same position as the Peers of England, and there is nothing which the Peers of this country can hold more dear to them or more important than that this House shall be the sole judge as to whether they are entitled to their honours or not. The question of this Peerage was gone into in the fullest possible manner, and none but those who have gone into the whole case and investigated all the evidence brought forward are really competent to pronounce an opinion upon it. To pick up small matters from other authorities than those which were brought before the House is not a fair way of discussing the question. The place of the Earldom of Mar on the Union Roll is that given to it by the Decreet of Ranking which took place in the time of James VI., in the year 1606. That Decreet of Ranking is by no means perfect. On the contrary, it has been open to dispute from the first down to the present time. At the time of the Union what happened in this matter? On the production of the Roll the Earl of Sutherland took notice in the House that there was pending between him and the Earl of Crawford some dispute about precedency, and that there were others of a like nature; and, in 1707, the list of Peers was laid upon the Table, and the same was ordered to be entered on the Roll of Peers with this salvo—that whereas there were several Protests entered on the Records of the Parliament of Scotland in relation to the precedency of Peers, such Protests should have the same force as if they had been entered on the Roll of Peers, or in the Journal of the House—thereby recognizing its authority over these disputes with regard to precedency; but the House has never altered any of the places on the Roll, although, by the clearest evidence, proved to be wrong. Very soon after the Union in 1707, the Duke of Ormonde claimed the Peerage of Dingwall, which was not on the Roll. He claimed to be placed on the Roll immediately after Lord Madderley, and the matter was referred to the Committee of Privileges, and the Committee of Privileges reported that he ought to be taken next before Lord Cranstoun. The difference was that that gave to Lord Dingwall higher right than he claimed. Therefore, the House obviously has the power of determining where the Peers should be placed on the Union Roll, when not already upon it. With regard to the question of what is called the ancient Earldom of Mar, the precedence which was given by the Decreet of Ranking was not that of the ancient Earldom of Mar; and no one can say that the ancient Earldom of Mar is the one placed on the Union Roll by the Decreet of Ranking. From 1377 down to the present day no one has been received as representing the ancient Earldom of Mar, either in the Parliament of Scotland or in the Parliament of the United Kingdom. The date given to the Earl of Mar by the Decreet of Ranking was that of 1457, and he was placed between Lord Rothes, created 1558, and the Earl of Errol, who was created in 1452. But, in the Decreet of Ranking, no dates were given; the Peers were merely placed in their several places without giving specific dates. But it is most important to note that the place he was put in was 1457. The decision of the Decreet of Ranking turns on the documents laid before the Commissioners by the Peers themselves; and of these, the most important documents were the surrender of the territorial comitatus of Mar in 1404 by Isabella, who was the neice of the last heir male, and who was, no doubt, his heir general; and retours showing that the Earl of Mar was her heir general. The Commissioners for the Decreet of Ranking refused to admit that the comitatus surrendered by Isabella had a peerage Earldom attached to it, and they did not, therefore, give a precedence of 1404, thereby declaring that that surrender and re-grant did not contain the Earldom. It was a surrender of the territorial comitatus only, and they would not give him that precedence. And I would remark on this that in the elaborate protest made by Lord Crawford at the last election, he declared that the precedence that was allowed by the Decreet of Ranking was a precedence of 1404. Now, my Lords, the precedence was not given of 1404, but of 1457. I would also remark that Lord Mar did not bring before the Commissioners for the Decreet of Ranking the Charter by which the territorial comitatus was restored by Queen Mary to his father; but he gave these other documents, evidently desiring that by their allowing him precedence on the date of that surrender and re-grant to Isabella they would acknowledge his right to the Peerage, which he, of course, might then contend she inherited. Now, the question is, why was the precedence of 1457 given to him by the Commissioners? I hold it to be a distinct proof that they were determined that by no act of theirs would they recognize the existence of the old Earldom of Mar. Nobody would pretend that that was the date of the ancient Earldom of Mar, the last heir male of which died in 1377. James II. created one of his younger sons Earl of Mar. Therefore, there was an Earl of Mar in 1457, and if anybody claims under the finding of the Decreet of Ranking, that is the Earldom of Mar which would make their title good, because that is the only one which is at all connected with the one that appears on the Union Roll. The report of those who gave judgment in the late case was that the Earldom of Mar had been a new creation from the time of Queen Mary, and that no other Earldom of Mar was then existing. That was proved, I say, by the extinction of that Earldom for 500 years, during which time no person has been acknowledged in Parliament as holding the ancient Earldom. Therefore, that the entry of the Earldom of Mar in 1457 was an erroneous entry everybody will admit, whichever way their opinion may be. There is no doubt that the Earl of Mar in James the VI.'s time desired to make good his claim to the ancient Earldom, and he put in those documents, and kept back other documents that might have induced the Commissioners, if they had had them then before them, to give the real date—namely, the date of the year in which he was created. My Lords, if every Peer is to determine whether the judgment of this House is right or not, and to act upon his own idea in a decision of this kind, confusion of the most unfortunate character must necessarily arise. The decision of this House is that the vote of the Earl of Mar is to be received when that Earldom is called on the Union Roll; the House never having as yet altered the placing on the Roll, although found to be incorrect; and if Peers individually are allowed to come forward and say—"We do not approve of the decision of the House in this matter," there will be very objectionable proceedings from henceforth in the election of the Peers for Scotland. My Lords, I think there was great reason in the Motion made by the noble Duke (the Duke of Buccleuch), who proposed that there should be an alteration in the placing of that Earldom; at the same time, there is no doubt, if you once begin altering the Union Roll, there are so many errors in it, that claims would be made for the alteration of precedence, and they would be such as to give the greatest possible trouble and inconvenience to the House; and, therefore, it may be desirable to allow the Peers to be called in the wrong place rather than take the trouble of altering their place. Now, my Lords, I would just mention what occurred in regard to a Peerage that was restored some time ago—that of my noble Friend Lord Balfour of Burleigh. That is a Peerage which, I think, it has been proved to the House was created in 1607; and the findings of the House with regard to the placing of Lord Dingwall were that he was created in 1609; they also found that Lord Cranstoun had been created in 1609—a little later—and they put Lord Dingwall before Lord Cranstoun; and in putting him before Lord Cranstoun they put him before Lord Balfour of Burleigh, who stood between Lord Cranstoun and Lord Madderley. Therefore, I say, the confusion you would get into if you once began altering the Union Roll would be very great. The Decreet of Ranking was all done with regard to the whole Scotch Peerage in a very short space of time —in about a year—and it was done entirely upon whatever documents the Peers themselves might think fit to produce; while the evidence before the Committee of Privileges in the Mar case was of a very different and much larger character. My Lords, having taken part in that judgment, and taken great pains with it, I say that all the Lords who took part in it declared it to be their opinion that when Lord Erskine was created Earl of Mar there was no Earldom of Mar in existence to which he could have been restored by Queen Mary; and if anyone has complaint to make that Lord Mar is not entitled to the place given to him upon the Union Roll, the only Peerage he can claim on the date given by the Decreet of Ranking must be that Peerage which was granted by James II. to one of his younger sons, who died without issue in 1479.

THE EARL OF GALLOWAY: I must say, my Lords, that I was not prepared to hear the noble Earl the Chairman of Committees speak in such contemptuous tones of the Decreet of Ranking. He informed us that it was, in fact, a simple declaration made on the production of the best documents which the Peers at that time could produce. No doubt they had to produce what documents they had; but I think I can tell you something about the Decreet of Ranking. The Peers of Scotland in 1606 were for the first time ranked by order of the King under the Great Seal, and the rank there established indicated the place on the Roll in which the particular Peer's name was entitled to be, and, of course, his precedence; but there was a provision in it by which a Peer could obtain a higher rank by the production of more ancient documents—and I may say that the Earl of Mar produced documents showing a descent from a maternal ancestor 100 years before Queen Mary's time. I am not going into the question as to which documents are most reliable; but I ask the House to listen to me while I show your Lordships that this House, in fact, is not a competent tribunal to determine the rights of Scotch Peers—for, by the Treaty of Union of 1707, it was expressly provided that the judgment of the Court of Session in Scotland with respect to disputed peerages would be final. My Lords, the judgment of the Court of Session was obtained in the year 1626; and, therefore, I say that in any case such as this tried by the Court of Session before the Act of Union it is not competent to your Lordships to reverse its sentence. But, moreover, my Lords, it has been stated on the highest authority that the Report of the Committee of Privileges is not a judicial proceeding—it is a mere expression of opinion—and I do not think even my noble Friend at the Table (the Earl of Redesdale) will controvert it, seeing that it was so stated by my noble and learned Friend on the Woolsack, and also by Lord Chelmsford in 1876, who distinctly enunciated the principle that the opinion of the Committee of Privileges was simply a Report to your Lordships' House, and not a judgment given by your Lordships' House as a judicial Court. I understand, indeed, that Resolutions found upon the Report may be submitted to Her Majesty, and Her Majesty, as the fountain of all honour, may adopt it, and thus give a final decision. But in this particular case what was done was done—for some unexplained reason, the moment the Report was made and the Resolution passed it was sent off to Edinburgh, without there being any opportunity to show it to the Sovereign, and the Lord Clerk Register was directed to place the name of the Earl of Mar on the Roll of Peers in the position in which it stands—thus reversing the decision already given previous to the Union; and that, my Lords, I say it is not competent to your Lordships' House to do. Then, my Lords, I think it is plainly proved that the ancient Earldom is still in existence, and traceable in family succession through the female line. It is true that the Earldom was for some time attainted; but it was restored in 1645 by Queen Mary. But that, my Lords, was a new creation; and, therefore, Lord Kellie has no right to be placed so high on the Roll as he is. It was attainted by Act of Parliament and restored, and by a judgment of the Court of Session in 1656, it was formally declared that the ancient Earldom of Mar was still in existence, descendable through the female succession to heirs-general, that the heirs had been temporarily deprived through illegal seizure and usurpation in 1457, but that these wrongs were redressed in 1645 by Queen Mary, whose charter restored to the heirs of the said Countess Isabel and their heirs-general hereditary the ancient Earldom, and which charter included the dignity, patents of honour independently of lands being unknown till many years afterwards. There really was no dispute in Scotland as to the right of the Earl of Mar whose name was in the Decreet of 1606, and who was placed upon the Union Roll. But by the decision of the House of Lords on the 26th February, 1865, they declared that Lord Kellie had made out his claim to the Earldom of Mar, created in 1565. But in doing that the House of Lords carefully abstained from making any reference at all to the more ancient Earldom of Mar held by Elizabeth, Countess of Mar, in her own right in 1404. Therefore, I contend that there is no adjudication whatever against the more ancient title. I hope, my Lords, your Lordships, who have been very generous indeed to the Earl of Mar, will not forget the maxim—Be just before you are generous. I do not ask you to be generous to Mr. Erskine, but simply to be just.

LORD SELBORNE: As I understand the law, claims to Peerages are to be investigated in a certain prescribed manner, and not argued and debated by the whole House. Therefore, whatever may have been the position of this Peerage in former times, or whatever may be the interest felt on the subject in Scotland, it is impossible that any advantage can arise from a discussion like the present in this House. I should say the same thing if it were a question concerning an English or an Irish Peerage; but the case is still stronger as to a Scotch Peerage; the manner of proceeding in that class of cases being regulated, not only by custom, but by statute. Your Lordships appointed a Select Committee last year, upon a Petition presented by the noble Earl opposite; and that Committee reported that nothing could be done in this matter, unless some claim to the ancient Earldom of Mar should be made and protested against at an election of Representative Peers, in which case the mode of proceeding, prescribed by the Act of Parliament, must be followed. I altogether fail to perceive the reason for which the noble Earl at the Table (the Earl of Redesdale), instead of being content to rely upon the decision of this House in 1875, has chosen to argue the whole case upon the merits. If I were to hold myself at liberty to follow him into that argument, there are some things which he has said, with which I, certainly, should not agree; but, so far as the title of the noble Earl opposite (the Earl of Mar and Kellie) is concerned, the House has already given its decision, and that decision has the force of law. It has decided that a Peerage of Mar was created by Queen Mary, and that the Peerage so created belongs to the noble Earl opposite; but it has pronounced no judgment, either affirmative or negative, with respect to the ancient Earldom of Mar. Whatever may have been said by any learned Lord in the Committee of Privileges is a matter wholly different from the Resolution of the House affirming the right of the noble Earl to the Peerage of Queen Mary, but without asserting that the old Earldom was extinct. Consequently, anyone who at the election of Representative Peers claimed the old Earldom of Mar would be entitled to produce any evidence he could in support of that claim; and it would be for a new Committee of Privileges to determine whether anything was added by that evidence to the materials, on which the former decision proceeded; and, if not, what degree of weight ought to be attributed, as against the new claim, to all or any of the reasons which were assigned for that decision by any of the Lords who concurred in it. In the present case, as in another to which their attention has been recently called, the House ought not to review and debate a legal determination.

INDIA—THE BRAHMIN KISHEN DUTT.

QUESTION. OBSERVATIONS.

LORD STANLEY OF ALDERLEY: My Lords, I would commence by stating that I believe the noble Viscount the Secretary of State for India (Viscount

Cranbrook) was ignorant of the act of illegality which I am about to relate to your Lordships, until he saw the Notice which I have put down. There has been an infraction of the liberty of British subjects, for a Brahmin is as much a British subject as any man born in this country; and when Paul of Tarsus claimed the rights of Roman citizenship, neither Festus nor Agrippa sought to diminish those rights by casting in his teeth that he was a Jew. Great complaints are now made by many writers of what they call Imperialism—that is, of arbitrary acts—and Imperialism of this kind is not so much after the model of that of Julius or Augustus Cæsar, as that of Domitian or Caligula, and acts such as this will go far to do away with the effects of the recent speech at Sheffield of the noble Viscount. This has been an act of tyranny so purposeless that it cannot be explained; but I have found a clue in a recondite maxim of antiquity which was placed before your Lordships a few nights ago by a noble Lord opposite—*Quid leges sine moribus.* Of what avail are the British Constitution, Magna Charta, or Habeas Corpus, against the morality of officials? The Brahmin, Kishen Dutt, had an estate in the district of Gorrukpore. A nephew of his defrauded him of it; he first attempted to effect a substitution of names in the register, through the native Tehsildar, who repelled his proposals; but he afterwards succeeded in the English Local Court and the High Court of Allahabad. Confident in the justice of his cause, Kishen Dutt determined to seek redress from the Privy Council, and to carry out his design he pledged his wife's jewels. At Bombay, he went to the office of Nichol and Co., for his passage to England; he had not sufficient money, but a benevolent old man looked at his papers, and said that it was very plucky of him to go to England, and he should go, and he gave him what was wanting of the passage money and 20 rupees besides. The captain of the steamer was a humane man, who knew some Hindustani, and he was very kind to Kishen Dutt, who was only a deck passenger, and sheltered him in bad weather; he directed him to the Strangers' Home, in Limehouse, where he arrived on the 7th February, 1878. When there, all he could say was that he wanted to go to the Privy Council; accordingly, he was put it into an omnibus, and, unfortunately, was directed to the India Office. Thither he went fruitlessly, many days, with his papers; one day a Parsee lawyer offered to take up his case for £50; but he had spent all his money, and had been deprived of his estate. Another day, Sir William Muir spoke to him, and took his papers, and said he would examine them. Some little time after that, in the forenoon of April 4, 1878, he was told by the steward or policeman at the Stranger's Home that the Queen had sent for him, and that he must make haste. He wanted to put on his best clothes, but the people began collecting his things, and he began to suspect; "the Queen," he said, "does not want to see my old rags." However, he was told he must go; he refused, and clung to the bedstead, and had to be led out by a policeman. He said—"I cannot go without my papers." His papers were then given back to him by the policeman; he was put into a cab, and taken on board the *Queen Anne* steamer. Here, again, he bewailed his hard fate of being put on board without provisions; for when he left India he had laid in a supply of parched corn and dates, and he would lose his caste. This captain, also, was a humane man, and he allowed him to go ashore again, under the care of one of his men, to get some dried fruit. The steward of the Strangers' Home remained by till the ship sailed to see him off. He was thus kidnapped, and forcibly deported from England to Calcutta. Undismayed, however, he begged his way back, and got first to Aden, and from there to London to the Strangers' Home, on the 3rd September, 1878, and renewed his search after the Privy Council. At length, he found a friend who assisted him to draw up petitions to the Privy Council, and to get them presented. The time in which an appeal could be made had expired whilst he was being deported; when he returned to the threshold of the Privy Council he had been 19 months' travelling, yet the Judges of the Privy Council stretched a point in his favour, and he got leave from Sir James Colville, Sir Barnes Peacock, and Sir Robert Collier, to be heard on Saturday, June 14th; but, as both the First Court and the High Court had been agreed as to a matter of fact, the Privy Council could give him no relief. At this time he was refused any more food at the Strangers' Home, and he would have starved, had not his friend, Mr. Meakin, supplied him with dates and French plums; but after two periods of five and six days—11 days in all—of this diet, and getting no cooked food, he became so ill that Mr. Meakin would have removed him to his own house, but he was too ill to be moved. Thereupon, Mr. Meakin told the officials of the Strangers' Home that he would hold them responsible if the man died, and they relaxed their severity, and gave him food to cook; but he did not recover his strength till the 28th or 29th of June. Now, when this story was first told me, I was incredulous that such a thing could happen in England, and I should not expect your Lordships to give it credence had I not heard it myself corroborated by the officials of the Strangers' Home. I went there with Mr. Meakin on Monday, June 30th, and heard it corroborated that it was by orders from the India Office that Kishen Dutt had been shipped to Calcutta in the *Queen Anne;* and, worse still, that it was by their orders that Kishen Dutt's rations had been stopped, in order to drive him away. I also learned that orders had been given to shut up Kishen Dutt, and prevent his going about; but this order had not been carried out. Now, under what law or statute does the India Office carry away suitors from the doors of the Privy Council when they are open to them? By what law does it give these illegal orders to a charitable institution, and prevent its feeding the homeless? The last annual Report of the Strangers' Home bears on its covers the words, "Be not forgetful to entertain strangers;" and the accounts show that £879 16*s.* 3*d.* were given to it by charitable subscribers last year; but the back of the cover of the Report has the words, "No one can be admitted into the Home without payment." Well, the publicans would do as much. I do not mean the licensed victuallers; but, in the original sense of the word, men who are not expected to make any profession of religion. If any stranger has a claim on the charity of this country, surely it is one who, relying on the justice of this country, has come so far, and at the cost of so much hardship, to seek the reversal of an iniquitous decision. I will now read to your Lordships a note from the Strangers' Home, showing that the India Office paid £15 for Kishen Dutt's passage by the *Queen Anne,* as follows:—

"June 18, 1879.
"From Strangers' Home for Asiatics,
"Limehouse,
"To E. E. Meakin, Esq.,
"22, Fenchurch Street.

"Sir,—I waited to hear the result of Kishen Dutt's appeal to the Privy Council before replying to yours of the 11th instant. Having now heard that the Privy Council have rejected his case, I write to inform you that the India Office paid the £15 for his passage to Calcutta, but nothing for his board and lodging at the Home, and will do nothing further for him. This man has been nearly a whole year on the funds of the Home, which is out of all proportion to our experience in other cases, and the Board cannot spend more of the funds upon him, and especially as he is not one of the class whom we can provide employment for on board ship. Nothing short of a passage paid for him would meet his case, and the Home was not intended to do this; and, besides, we do not know that he would accept a passage, and, indeed, he had one provided for him in vain. We see no termination to this case; and in the present depressed condition of the shipping trade we have many men of the class the Home was specially intended for thrown upon it, destitute for various periods; but all these we can, sooner or later, dispose of properly, by obtaining employment for them at wages to return to the East. The case of Kishen Dutt is one we cannot aid or dispose of in any way, and too much has already been spent upon him, and all in vain. This Home is not intended for the permanently destitute Natives of the East, but to aid those who are temporarily so, and are willing and able to accept employment when it is provided for them. This is what Colonel Hughes, honorary secretary, wished me to say to you by way of information in the case of Kishen Dutt.

"Yours faithfully,
"J. Freeman, Superintendent."

And now I have to ask, What was the object of this persecution of an old Brahmin, 70 years of age, by the India Office? Were those officials unaware that, since the Proclamation of the Queen as Empress, every suppliant for justice in India, from the Himalayas to Cape Comorin, has a right to come to the doors of the India Office with his Petition?

Viscount CRANBROOK said, the Strangers' Home to which the noble Lord had referred was, he believed, one of the best institutions in London. A great number of Asiatics came over to this country, some of whom, on their arrival, were unfortunately neglected by those who brought them here, and the authorities at the Strangers' Home did what they could in the circumstances to assist them. It constantly happened that the India Office was asked to assist these poor people to get back to India. The Brahmin, Kishen Dutt, was said to be an old man, 65 years of age. He came over to this country with some purpose connected with an appeal to the Judicial Committee of the Privy Council, and had been received into the Home. He (Viscount Cranbrook) had a letter from Colonel Hughes, dated the 10th of March last, in which he stated that the Brahmin in question had come to the Home, and that on being informed by those whom he consulted that he had no case to lay before the Privy Council, he expressed a wish to return to India, but that he had not the means of paying for his passage. The application was submitted to the Finance Committee of the Council of India, who recommended a grant of £20 out of the Compassionate Fund. That recommendation was approved by the Council, and the money was forwarded to Colonel Hughes for the purpose of taking this man back to India. That was all the India Office knew of the matter. It was not an uncommon thing for Asiatics to come to this country in the belief that grievances of which they complained, and which could alone be determined by the Courts of Law, would be redressed on the presentation of a Petition to Her Majesty in person. It was most important that these persons should be kept from any such delusion as that. Some of them had had to be watched by the police to prevent them from forcing themselves into the presence of Her Majesty.

UNIVERSITY EDUCATION (IRELAND) BILL—(No. 134.)

(*The Lord Chancellor.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Moved, "That the House do now resolve itself into Committee."—(*The Lord Chancellor.*)

LORD ORANMORE AND BROWNE rose to move, as an Amendment, that the House do resolve itself into Committee that day three months. As their Lordships all knew, on Tuesday, a Bill endowing the Roman Catholics with money derived from the Surplus Fund of the Disestablished Church of Ireland might have been carried by acclamation, so unanimous seemed to be the opinion of the House. That was a marvellous change of opinion since a few short years, when, but for the dexterous guidance of the noble and learned Earl (the Lord Chancellor), a large majority of their Lordships would have thrown out the Bill for the Disestablishment of the Irish Church. He supposed the change arose from the enlightened progress of modern thought. To his narrow vision it seemed like the blind and dangerous progress of a runaway horse. The past history and the present action of the Roman Catholic Church throughout Europe, equally with its present action in Ireland, were ignored or forgotten. Their Lordships cast aside experience and trusted to theory. The Protestant principles, on which the Constitution was founded, and which so long guided this nation in the path of glory and honour, were now mocked at as vulgar; and this was all the more strange when it was remembered that the question of taking education out of the hands of the Roman Catholics was one which occupied the attention of almost every nation in Europe. In Roman Catholic France, Belgium, Italy, Austria; in Germany, Russia, Holland, with their mixed populations; in Canada, in the United States, in Roman Catholic Brazil, the struggle to keep education out of, or take it from, the hands of the Roman Catholic Church was being fought; and why? Not for any purpose of religious persecution; not with any desire to interfere with the religious faith of that Church; but because the Roman Catholic Church taught that her authority was supreme, independent of and above the State. But all history showed that unless the supremacy of the State was asserted, liberty, order, and good government must become subservient to religious tyranny; for an Infallible Church must consistently teach and practice intolerance, she must and did teach every one to be an obedient Catholic first, and, subject to this condition, a good citizen after. To keep the youth of the country from thus being brought up in antagonism to the civil power, in antagonism to their fellow-countrymen, that question was now the standard round which all Liberals, save a few English aristocrats in Europe and America, rallied. Therefore, he could not but think it one which well-deserved the attention of their Lordships. The action of the Roman Catholic clergy in Ireland at the present time was matter of notoriety. They claimed and exercised an influence in the appointment to every law office in the country, from the Lord Chancellor to the lowest turnkey. They dictated to the constituency what Members they were to return to Parliament—the Galway election showed how they enforced their commands. In Canada, at the last election, the Roman Catholic Bishop issued public directions to his clergy not to give the sacraments of the Church to recalcitrant voters. In Ireland this was not done by such public manifestoes; but altar denunciations against all who displeased the clergy were the constant practice, and were frequently a source of danger to the persons denounced. They claimed that where the majority were Roman Catholics, without regard to merit, all public officers should be Roman Catholics. Why was it, he would ask, that this general feeling through Europe existed against placing education in the hands of the Roman Catholic clergy? It was not attributable to any wish to persecute Roman Catholics or to interfere with their faith, but because they taught that the Roman Catholic Church was supreme above the law. While such a doctrine was preached—a doctrine so dangerous to civil order—the influence of the law must be maintained by not leaving education in their hands. With reference to the eloquent appeal which had been made the other night by a noble and learned Lord (Lord O'Hagan) as to conceding to the conscientious views of Roman Catholics in Ireland the means of separate education, he (Lord Oranmore and Browne) contended that this was beside the question—it was a mere stepping-stone to power—the claim was only a new development of the claims of the Roman Catholic clergy, for they felt that if the youth of Ireland were educated out of a particular groove they would lose their power over them. Their Lordships were not to think that any measure was really necessary to satisfy the consciences of Roman Catholics. If they accepted that principle, where were they to stop? The present Pope refused to have any relations with the Italian Government because they tolerated other religion! They had gone very far and very fast since the Church Bill had passed through the House. Let the House look back a little. At the time of the Emancipation, Dr. Doyle and Daniel O'Connell gave evidence strongly in favour of mixed education. Within a few years, and for a considerable time, Archbishop Murray aided in carrying out mixed education as an active member of the National Board. Their consciences were not disturbed, nor were they worse Catholics than the hierarchy or laity of the present day. Was not this claim, then, no part of religious teaching, but an Ultramontane development for the distinct purpose of gaining greater power? It was making religion a stepping-stone to power. Was not the passing of any measure aiding separate education a wrong not only to the Queen's Colleges and Trinity College, but to Liberal Roman Catholics, who preferred education at these Colleges, or to choose the places and persons by whom their sons should be educated? This Bill would, by the power it would give the Roman Catholic clergy, bring all liberal Roman Catholics in subjection to their iron sway. Then as to National Education having become denominational, he entirely denied that that statement was borne out by the annual Returns. Those Returns showed that where the population was mixed there the schools were mixed. It was certain that grants had been made to schools which were conventual if not monastic; and he did not think that any sensible Protestant would like to send his children to such establishments, whatever might be the conscience clause put on the chimney piece. Doubtless, in so far, grants had been made to Roman Catholic teaching which were refused to Protestant schools. He would also ask their Lordships to remember that large grants which had been made before the National system existed to Protestant schools had since been withdrawn, and that Maynooth had been for many years supported out of the funds of the Protestant Church. It was urged in support of the Bill that the Roman Catholics laboured under a grievance; but the grievance referred to was one of their own making. All the advantages which were open to other denominations in the country were open to them. At Trinity College, and all the English Universities, all tests had been removed, and for the very purpose of putting the Roman Catholics upon an equality with the others. The Queen's Colleges were open to, and accepted by, every other denomination, and every other denomination had a minister paid for religious instruction; so, also, could the Roman Catholic University appoint a chaplain. He believed, indeed, that a very large proportion of those who did require University Education had accepted the teaching of both Trinity College and the Queen's Colleges. Therefore, he contended that there was no requirement for this additional University. Where Roman Catholics had not already accepted the teaching of Trinity College and the English Universities, now that the endowments were open to them, he felt sure they would do so. If that House passed a Bill granting separate teaching through a hierarchy the result would be to put a penalty on all liberal-minded Roman Catholics. They would be doing an injury not to those Colleges only, but to every man who was inclined to take advantage of the facilities they offered. In fact, they would be putting the Roman Catholics altogether under the sway of the ultra-Romish party. The noble Marquess (the Marquess of Salisbury) had said that the reason Trinity College was not available for the Roman Catholics was that the examinations were in the hands of those in whom the Roman Catholics had no confidence. The noble and learned Earl (Earl Cairns) had said the same. It was, therefore, evidently intended by the Charter, by the constitution of the Senate, to transfer the examinations to parties in whom they did have confidence, the University would be made entirely Roman Catholic, and would not be in accordance with the principle which had been adopted for a great many years. He doubted also whether the public, or, indeed, some of their Lordships, understood the Bill. He brought forward his Motion because he thought there was no need for giving further University Education in Ireland, and because the Bill would injure the existing Universities and assist Roman Catholic Universities in oppressing the liberal Roman Catholics.

Amendment *moved*, to leave out ("now") and add at the end of the Motion ("this day three months").—(*The Lord Oranmore and Browne.*)

EARL GRANVILLE: I cannot support the Motion of the noble Lord. I stated, on the second reading, my reasons. I agree with all the non-official Peers who have debated this subject that the Bill is perfectly inadequate. But as the Government adopted the novel plan of announcing in the House of Commons that they would make a clear and distinct explanation of their views on the Irish University question by means of a Bill introduced into the House of Lords, I think it is desirable that the House of Commons, where the majority of the Irish people interested in this question is so much more largely represented than here, should have an opportunity of fully considering the plan. But as to this plan I desire to make an appeal to Her Majesty's Government. The noble Marquess opposite (the Marquess of Salisbury) is reported to have made a speech the night before last, in which great heat and eloquence, courage and much imagination, a supreme contempt for his political opponents, and unlimited admiration for the best of all possible Governments in the best of all possible cities, seemed to combine all the elements necessary for a successful electioneering after-dinner speech. The noble Marquess is reported to have described the Government policy with regard to legislation as one which, as far as efficiency would allow, made the smallest possible change. I am bound to say that, omitting the proviso, this Bill is an admirable type of such legislation. But as for efficiency, can anyone pretend that it is so after the debate on the second reading, when not only Liberal Peers and Roman Catholic Peers, but the Protestant Irish supporters of the Government, unanimously gave their opinion that the Bill was inadequate—when the Secretary of State for Foreign Affairs stated that the Irish Roman Catholics considered it a grievance that they alone were without pecuniary assistance in higher education—and when the noble and learned Earl on the Woolsack at last held out vague hopes that next Session, or the Session after the next, the Government would consider the question of supplementing the present Bill by grants which he did not define? With regard to the claim of some pecuniary assistance, there is no doubt that the lay Irish Catholics are united with their clergy. But there is one reason for their claim which is probably not so much felt by the clergy as by the laity. Some of the latter complain that without pecuniary assistance they are condemned to a Collegiate Education exclusively conducted by priests; that learned lay Irish Professors, just as much as their unlearned fellow-countrymen, desire to marry, and generally, like them, have enormous families; that they must be paid for their services, and that cheap University instruction can only be obtained from the clergy, who, from their vows of celibacy and from the character of their profession, are satisfied with very small allowances. With regard to this question of pecuniary assistance, it has been stated in the House of Commons and in this House—hitherto without any contradiction—that the Irish Government did communicate last winter to the Irish Bishops for their approval a scheme resembling in its general outline the Bill introduced some weeks ago by the O'Conor Don. The Government have been much pressed here to explain in what way the principles of the Intermediate School Act of last year, proposed by them and cheerfully assented to by us, are not applicable to Collegiate Education in Ireland. The Lord Chancellor gave us the reasons—and when he gives reasons they are likely to be the best that can be found—no one is very likely to find better. His reasons were these—first, that the children in the schools are younger than the students in Colleges; secondly, that there is no Conscience Clause applicable to Colleges; thirdly, that the Colleges cannot, like the primary schools, be inspected. As to the first reason—namely, as to the age of the children—this may or may not be a question of convenience; but, as a question of principle, it has no bearing whatever on the matter. I believe there are several Irish schools of a denominational character which have received, or, at all events, will receive, grants under the Government Act of last year out of the surplus provided by the Irish Church Act. Then, as to the Conscience Clause, the late Lord Chancellor of Ireland, speaking with great authority, said there would be no objection raised to it; and my noble Friend (the Marquess of Ripon) reminded the Government of what they must know, that the Irish Bishops had agreed to a Memorandum to that effect. It is not likely that the Catholic laity would object to having a Conscience Clause when the Bishops are ready to agree to it. Then about inspection. The noble Marquess (the Marquess of Ripon) asked the pertinent question, whether Her Majesty's Government had not omitted to take any power of inspection over the intermediate schools? To this there is only one possible answer—in the negative. I am entitled to ask Her Majesty's Government whether they can give any more satisfactory explanation of the distinction between the principles they so successfully adopted last summer, and those which more or less they seem to repudiate this year? The noble and learned Earl on the Woolsack most properly stated on the second reading his determination only to argue his case in the manner most likely to promote the settlement of the question. I trust that I am doing nothing inconsistent with the most sincere desire that this important question should be settled if I make an appeal to the Government on this occasion. It is perfectly clear that this Bill will not settle the question. It is not reasonable to expect that it will be accepted, after the Government have themselves owned that it requires to be supplemented, and yet only hold out hopes of the necessary supplement being considered by the Government at some future and undefined period. Her Majesty's Government promised the House of Commons to give in this place a clear and distinct statement of their pledge. I venture to appeal to them to fulfil that pledge, and spontaneously to add to this short Bill those provisions which they think necessary for its complement, or, at all events, to make a statement which will enable us, and especially the people of Ireland, to judge whether such provisions are sufficient or not.

On Question that ("now") stand part of the Motion? *Resolved* in the *Affirmative.*

House in Committee accordingly; Amendments made: The Report thereof to be received on *Monday* next.

OFFICERS ON HALF PAY—THE CIRCULAR LETTER, MAY, 1866.

QUESTION. OBSERVATIONS.

LORD TRURO asked the Under Secretary of State for War, Whether the Circular Letter of May, 1866, did not guarantee to officers promoted on half-pay the same advantages in all respects as officers placed upon half-pay by reduction, and whether such guarantee has been adhered to in every case, particularly with reference to payment of over-regulation money? The noble Lord said, the Question might appear a very simple one to answer; but the matter it related to seriously affected certain officers of the Army. The effect of the Circular Letter to which his question referred was to place officers who were on half-pay by promotion upon precisely the same footing as officers who were upon half-pay by reduction. It was because in some instances the assurance contained in the Circular Letter had not been completely carried out that he put the Question which stood in his name upon the Paper. In anticipation of what the answer of the noble Lord the Under Secretary of State for War might be, he wished to state that there were cases of officers who had not received, prior to the abolition of Purchase, their over-regulation money from their regiments. The solemn pledges given in the House of Commons by Mr. Gladstone, Lord Cardwell, and Captain Vivian, of the same nature as the guarantee which, in his opinion, the Circular Letter of 1866 contained, should, he thought, be redeemed.

VISCOUNT BURY said, Her Majesty's Government fully intended to do every justice to the officers in this matter. The Circular Letter of May, 1866, did guarantee to officers promoted on half-pay the same advantages as officers placed upon half-pay by reduction, and everything promised in that Letter would be granted. It, however, did not contain, and could not have contained, any reference to over-regulation money, which was abolished in 1871, and which, in 1876, was illegal and not recognized by the authorities.

House adjourned at a quarter past Eight o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 11th July, 1879.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Industrial Schools (Powers of School Boards)* [242].
Committee — Report — New Forest Act (1877) Amendment (*re-comm.*) * [210].
Third Reading — Customs Buildings * [228]; Slave Trade (East African Courts) * [232], and *passed.*
Withdrawn—Spirits * [203].

The House met at Two of the clock.

QUESTIONS.

THE ROYAL COMMISSION ON AGRICULTURE.—QUESTION.

MR. WAIT asked Mr. Chancellor of the Exchequer, Whether he will be prepared to recommend that among the members of the Royal Commission about to be appointed to inquire into the condition of Agriculture, one member at least should be a skilled trader in Foreign grain?

THE CHANCELLOR OF THE EXCHEQUER: Sir, as the composition of this Commission is under the consideration of the Government, I cannot answer the Question of my hon. Friend precisely; but I can assure him that his suggestion, and others that may be made, shall have the careful consideration of the Government.

THE LATE PRINCE IMPERIAL—THE FUNERAL EXPENSES.—QUESTION.

MR. BURT asked Mr. Chancellor of the Exchequer, Whether the arrangements for the funeral of the late Prince Louis Napoleon will involve an expenditure of public money; and, if so, whether a Vote will be submitted to the House on the subject?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, there would be no occasion to submit to the House any Vote of public money in respect of the arrangements referred to. There might be some small expenditure for ammunition and for the use of a vessel for the conveyance of the Prince's remains to this country. The expenditure would, however, be very slight, and no Vote would be submitted to the House.

CYPRUS—PUNISHMENT OF GREEK PRIESTS — THE PAPERS.—QUESTION.

MR. GLADSTONE asked the Under Secretary of State for Foreign Affairs, When the Papers relating to the misconduct of certain British functionaries in the cases of two Greek Priests in Cyprus will be laid upon the Table?

MR. BOURKE: Sir, I have consulted my noble Friend the Secretary of State for Foreign Affairs, in reference to the Question of the right hon. Gentleman, and I have to state that we are waiting for further Reports from the Government of Cyprus on the subject. When the Papers are complete, they will be presented to Parliament.

ROYAL CONSTABULARY (IRELAND)—THE TOWN INSPECTOR OF BELFAST.

QUESTION.

MR. BIGGAR asked the Chief Secretary for Ireland, If it is the case that the town inspector of the Royal Irish Constabulary at Belfast has recently been suffering from serious pulmonary disease, and that he has latterly been obliged to absent himself from his duties for a considerable period; whether it is true that he has been in active service for forty-seven years; and, having regard to these circumstances, how much longer is it intended to ask him to continue to occupy the office of town inspector?

MR. J. LOWTHER: Sir, I have received a Report from the gentleman referred to, which will, no doubt, give the hon. Member satisfaction. It is not a fact that he was suffering from pulmonary disease or any other complaint. He informs me that he never was better. He was absent on urgent private affairs. There is no intention to interfere with his office.

IRELAND—THE ALLIANCE AND DUBLIN CONSUMERS' GAS COMPANY—THE ELECTRIC LIGHT.—QUESTION.

MR. CALLAN asked the Chairman of the Committee of Ways and Means, Whether he is aware that the Alliance and Dublin Consumers' Gas Bill was allowed to pass through this House containing clauses which confer, directly or indirectly, powers of Electric Lighting on the Alliance and Dublin Consumers' Gas Company, notwithstanding the recommendation contained in the Report from the Select Committee on Lighting by Electricity, that—

> "Gas Companies, in the opinion of your Committee, have no special claims to be considered as the future distributors of Electric Light;"

whether he has any objection to state the circumstances under which the Bill containing such powers was allowed to proceed; and, whether he will now, or when the Bill comes back to this House, take steps to have all such powers expunged?

MR. RAIKES: Sir, in reply to the first part of the Question of the hon. Member for Dundalk (Mr. Callan), I have to say that when the Dublin Consumers' Gas Bill passed through this House, it did not contain any direct clause conferring the power to which he refers. I may further state that the Bill was read a third time, and left this House upon the 9th of June; whereas the Report of the Committee on Lighting by Electricity, to which he has referred, was not presented to the House until the 19th of June. I may also say, as he has asked me to state the circumstances under which the Bill was allowed to proceed, that I have given it a good deal of attention. I had several interviews with both the promoters and opponents of the Bill, and I stipulated that any clause, directly or indirectly conferring those powers, should be expunged, and that was done. In Committee, as I am since informed, a clause was inserted at the instance of the General Post Office, which, although it conveyed no new powers, might possibly be misconstrued in connection with a paragraph in the Bill as recognizing some powers as to supplying the Electric Light. The matter, however, was not brought before me by the parties interested in this House. But I have since received a representation from the Corporation of Dublin on the subject; and, the Bill being then in the House of Lords, I at once communicated with my noble Friend the Chairman of Committees in that House (the Earl of Redesdale). I believe that the clause as to the powers has been struck out in the other House, and I am quite satisfied that the Bill as it now stands, contains no power in excess of that already granted to the Company by the Act of 1866.

ARMY DISCIPLINE AND REGULATION BILL — CORPORAL PUNISHMENT — THE SCHEDULE.—QUESTION.

Sir HENRY HAVELOCK asked the Secretary of State for War, Whether it has escaped his observation that, under the arrangements contained in a Paper issued on the 9th of July, headed "Memorandum explanatory of Schedule relating to Corporal Punishment," flogging cannot henceforth be inflicted for the crime of drunkenness on duty under arms in presence of an enemy, a crime which has been found to be the fruitful source of almost all other military offences; whether it is his intention to retain the use of corporal punishment as a deterrent to the commission of this crime; and, if that is not his intention, whether he will now consider the advisability of abolishing flogging altogether as a punishment for British soldiers in the field?

Colonel STANLEY, in reply, said, the subject had not escaped his notice. The views of the Government upon it had already been expressed by him, and they would be carried out by Amendments which were now standing on the Paper.

PARLIAMENT — ARRANGEMENT OF BUSINESS — ORDERS OF THE DAY, TUESDAYS AND WEDNESDAYS.

QUESTION.

The Marquess of HARTINGTON desired to put to Mr. Chancellor of the Exchequer a Question relating to the Motion which the right hon. Gentleman intended to make on Monday next with reference to the Business on Tuesdays and Wednesday during the remainder of the Session. His hon. Friend the Member for Chelsea (Sir Charles W. Dilke) had a Notice on the Paper for Tuesday, the 22nd inst., relating to some unfulfilled portions of the Treaty of Berlin. He did not know whether his hon. Friend had yet placed on the Paper the exact terms he proposed to move; but, at all events, the subject was one of great importance and interest, and he thought the Government would be of opinion that an opportunity should be given for the discussion of his hon. Friend's Motion. Perhaps, the right hon. Gentleman would state, Whether he could give the day which his hon. Friend had already secured?

The CHANCELLOR of the EXCHEQUER, in reply, admitted that the Motion of the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke) was one which the House ought to have an opportunity of discussing, and he would undertake to make such arrangements that the hon. Member would have the same advantages that he would have possessed but for the intention of the Government to make the proposed Motion on Monday next with reference to the conduct of Public Business. He would also make arrangements for the discussion of the Motion of the hon. Member for Hackney (Mr. Fawcett) relating to the water supply of the Metropolis.

MOTION.

PARLIAMENT—PRIVILEGE—PROCEEDINGS OF THE HOUSE—NOTE-TAKING IN THE MEMBERS' SIDE GALLERY.

RESOLUTION.

Mr. SPEAKER: Before I call upon the hon. Member for Meath (Mr. Parnell) to address the House, it will be convenient that I should state, with reference to the Minutes of debates in Committee, taken by my direction, which are about to form the subject of discussion, that great misapprehension apparently prevails in reference to these Minutes. So far as I am concerned, if any hon. Member desires to move for the production of these Minutes, I have no objection, and should advise that, if the House think fit, they be laid upon the Table as an unopposed Return.

Mr. PARNELL: Sir, in reference to a matter which occurred yesterday, it devolves on me to submit a Motion to the House, and to ask the House to say that that occurrence is a breach of the Privileges of this House. It will be within the recollection of many hon. Members that yesterday, during the proceedings of a Committee of the House upon the Army Discipline and Regulation Bill, the hon. and learned Member for the county of Louth (Mr. Sullivan) called the attention of the Chairman to the presence of a young gentleman, one of the officials of the House, who was seated in the Gallery set apart for Members, and who appeared to be engaged in taking notes of the observations or speeches of certain hon. Members of this House. The hon. and learned Member for Louth submitted to Mr. Raikes, the Chairman of Committees, that such a practice was not in Order, and, subsequently, upon his Motion that Progress should be reported, in order that your opinion might be obtained upon the question, Progress was reported, and you, Mr. Speaker, took the Chair. Upon a question being addressed to you by the hon. and learned Member for Louth, as to whether the presence of this young gentleman in the Gallery taking notes of the proceedings of the House was in Order, and after some observations had been made, and whilst other observations were being made upon the matter by the hon. Member for Dundalk (Mr. Callan), you, Sir, intimated that it was time you should express your opinion on the question; and I find that, according to the Minutes of the House, which we received this morning, you made this statement—

> "As the House is aware, according to the practice of the House, Minutes of our Proceedings are taken from day to day. These Minutes are published under the title of the Votes and Proceedings of the House. As lately it had come to my notice that there had been great and unexpected delay in the progress of the Army Discipline Bill in Committee, on my own responsibility, and for my own information, I desired that Minutes should be taken of the Proceedings on the Bill of a more full character than those which are taken from day to day. And Mr. Speaker concluded by stating that those Minutes have no reference whatever to any particular Member or body of Members of this House, and that they are fair and impartial Reports of the Proceedings of this House."

And now, Mr. Speaker, I wish, before proceeding with my Motion, to explain that I desire, as much as possible, in what I have to say to avoid any personal reference, or to impute anything either to yourself, Sir, or to any Member of this House, indicating that I suppose anything that has taken place, or that has been directed by yourself, has been directed with any other motive, or any other intention than that of carrying out the duty which you, Sir, consider you ought to carry out, and for which you are responsible to the House. I shall, in what I have to say, avoid, as far as possible, any personal references that are not necessary to my subject, and I shall endeavour not to introduce any irrelevant matter. The Motion which I have to submit to the decision of the House is in the following terms:—

> "That any Report or Record of the Proceedings of this House, or of a Committee of the Whole House, made, taken, or kept by officials of this House as an official act or otherwise without the previous Order or sanction or knowledge of the House, and for purposes not revealed to the House, other than the Votes or Minute of the Orders and Proceedings of the House or of the Committee of the Whole House, taken at the Table by the Clerk or the Clerk Assistant, is without precedent in the customs and usages of Parliament, and is a breach of the Privileges of Parliament and a danger to the liberty and independence of debate."

That is the Motion I propose to submit; and I think I shall be able to show, by reference to one or two precedents, that the House has always been extremely careful in past times to guard against the carrying away of any Minutes, or the making of any notes of its proceedings, other than the Minutes made by the Clerk at the Table of the House when the House is in Session, or by the Clerk Assistant when a Committee of the Whole House is in Session. First of all, I wish briefly to enumerate to the House some of the points which occur to me as being necessary to be understood with regard to the duties of the Speaker of the House. Some considerable misapprehension appears to have grown up lately in the minds of certain leading Members of the House as to the functions and authority of the Speaker. It seems to have been supposed by some hon. Gentlemen that the Speaker of this House has an original authority. Now, that is not so. The Speaker of the House of Commons is chosen by the Members of the House of Commons, and he has not that original authority which the Speaker in "another place," possesses. Nor has he the original authority which the Speaker in some foreign Assemblies possesses, and the assumption of which original authority this House has always been very careful to guard against. Now, I find at page 239 of *Hatsell's Precedents,* that we have some very important information as regards the duty of the Speaker. For instance, we find in Section 2, that—

> "On the 27th of April, 1604, the House agreed for a rule, 'That if any doubt arise upon a Bill, the Speaker is to explain, but not to sway the House with argument or dispute.'"

Then, in Section 3, we are informed that—

> "On the 23rd of May, 1604, there is a very curious entry in the journal, on the Speaker's having been guilty of an irregularity, in de-

livering to the King a Bill of which the House had been in possession."

Again, in Section 4—

"On the 21st of June, 1604, the House agreed for a rule,' That when Mr. Speaker desires to speak, he ought to be heard without interruption, if the House be silent and not in dispute.'"

I merely lay these matters before the House, in order to show what has rather been called in question lately, that the Speaker of the House of Commons has no original authority. Then, again, in Section 5, I find that—

"On the 9th of March, 1620, there is a long debate, in which the conduct of the Speaker was very much blamed; 'That he came out of the Chair without the consent of the House, being required by the greater voice of the House to sit still;' 'That he sometimes neglects his duty to the House, in intricating or deferring the question and hath made many plausible motions abortive;' 'That Mr. Speaker is but a servant to the House, and not a master nor a master's mate; and that he ought to respect the meanest Members, as well as those about the Chair.'"

Then, I find, again, in Section 7, that—

"On the 28th of January, 1677, complaint is made of an irregular adjournment of the House by the Speaker, Sir Edward Seymour; which he justifies himself to have done by the King's command."

Lastly, in Section 8, I find, that—

"On the 19th of December, 1678, a Standing Order is made, 'That Mr. Speaker shall not at any time adjourn the House, without a Question first put, if it be insisted on."—[*Hatsell*, ii. (The Speaker.)]

I do not wish to go into all these precedents, because I think that what I have read already will be admitted as clearly establishing my point in regard to the original jurisdiction of the Speaker. I will, however, read the observations which *Hatsell* makes in reference to the powers and duties of the Speaker. With regard to the jurisdiction of the Speaker, he says, in page 242—

"The Speaker, though he ought, upon all occasions, to be treated with the greatest respect and attention by the individual Members of the House, is in fact, as is said on the 9th of March, 1620, but a servant to the House, and not their master; and it is, therefore, his first duty to obey implicitly the Orders of the House, without attending to any other commands. This duty is extremely well expressed, in a very few words, by Mr. Speaker Lenthall, who, when that ill-advised Monarch, Charles the First, came into the House of Commons, and, having taken the Speaker's Chair, asked him—'Whether any of the five Members that he came to apprehend were in the House? Whether he saw any of them? And where they were?' made this answer—

"May it please your Majesty,

"I have neither eyes to see, nor tongue to speak, in this place, but as the House is pleased to direct me; whose servant I am here; and humbly beg your Majesty's pardon, that I cannot give any other answer than this, to what your Majesty is pleased to demand of me."—[*Ibid.*]

Now, Mr. Speaker, I think that I have sufficiently established my point with reference to the original jurisdiction of the Speaker—namely, that there is a very considerable difference between the power and authority of the Speaker of the House of Commons and the power and authority of the Speaker of almost every other Legislative Assembly. In almost every other Legislative Assembly, the Speaker has original jurisdiction. He has power given to him to do certain things of his own option; but, in our case, the matter is entirely different. He is the interpreter of the Rules and Orders of the House, and in matters of debate, he is the guide and director and the preserver of the Order of our debates; but it is not within his power or function to do anything which has not been previously ordered or sanctioned by the House, or which is not a Rule of the House. And now I come to my next point, and that is, that the taking down of any Minutes, other than the Minutes taken down by the Clerk at the Table or by the Clerk Assistant, when the House is in Committee, is irregular. This is also a matter for which there are very important precedents, which show that this House has always been very careful to guard the taking of Minutes other than those taken by the Clerk at the Table. I find, on referring to the work I have already quoted—*Hatsell's Precedents*, at page 265, Section 1, that—

"On the 17th of April, 1628, the Lords desire the Journal of the House of Commons to be brought to a conference that they may see the speech of a learned Member, in the 18th year of James the First; to which message the Commons answer—'That there was no resolution of the House, in the case mentioned; and that the entry of the Clerk of particular men's speeches, was without warrant at all times, and in that Parliament, by order of the House, rejected and left.'"

After that, in Section 2, we find that the House—

"On the 25th of April, 1640, ordered that Mr. Rushworth, just admitted Clerk Assistant, do not take any notes here, without the precedent directions and command of the House, but only of the Orders and Reports made in this House."

Then, I find in Section 3, that—

"On the 1st of December, 1640, the Clerk and his Assistants are to be enjoined that they suffer no copies to go forth of any arguments or speech whatsoever."

In Section 4, I find that—

"On the 10th of December, 1641, Sir Arthur Haselrig moved the House against the Clerk, for suffering his Journals or Papers committed to his trust, to be taken by Members of the House from the Table; the House upon this declared, 'That it was a fundamental order of the House, that the Clerk, who is the sworn officer and intrusted with the entries and the custody of the Records of the House, ought not to suffer any Journal or Record to be taken from the Table, or out of his custody; and that if he shall hereafter do it, after this warning, that at his peril he shall do it.'"

Section 6, says that—

"On the 1st of March, 1676, information being given of a mis-entry made in the Journal, in the year 1672, in prejudice of the privilege of this House, and of an omission of an entry in the Journal of this Session, a Committee is appointed to examine and rectify it and report it to the House."

The appointment of the Committee shows the importance which the House attached to the entries contained in the Journals. In Section 9, we find that the House—

"On the 4th of May, 1780, 'Resolved, That the Papers and Accounts presented to this House be carefully preserved by the Clerk, in whose custody they are intrusted; and that no person be permitted to take the same from the House under any pretence whatever; and if any person shall presume to take any Papers or Accounts from the House, that the said Clerk do forthwith acquaint Mr. Speaker, that the House may be informed thereof.'"

That authority further says—

"The duty of the Clerk is summed up in a very few words, in the oath which he takes, before he enters on the execution of his office—'Ye shall make true entries, remembrances, and journals, of the things done and past in the House of Commons.'"

"We see it is, 'without warrant,' that he should make minutes of particular men's speeches; and that he ought to confine himself merely to take notes of the orders and proceedings of the House. These he and the Clerk Assistant both do in their Minute-books at the Table; and from these Minutes, the Votes, which are ordered to be printed, are made up 'under the direction of the Speaker.'"—[*Hatsell*, ii. (The Clerk—His Duty.)]

Well, now, Mr. Speaker, I have gone through the evidence which I think necessary for the making out of my case, and I think that I have shown—firstly, that the Speaker has no original jurisdiction; and, secondly, that this House has always disapproved of the making of any Minutes other than those Minutes which are made by the Clerk or the Clerk Assistant at the Table. I wish to say, for myself—as it has been said by some people, the authority for which I have no means of estimating, because, of course, I have not taken any steps to watch this young gentleman in the execution of his duty; but it is said that he has made notes of particular Member's speeches in this House only, and that he has noted down the time occupied in the making of such speeches—for my own part, I shall have no objection whatever to any notes that may be made of anything I have ventured to say from time to time in this House; but what I wish is this—that this shall be done in a regular manner. If Mr. Speaker considers that, at any time, it is necessary for him to have fuller Minutes than the Orders and directions and customs of Parliament sanction, his proper course would be to come to the House and say—"I desire for the proper execution of my office that fuller Minutes should be made of the Proceedings of Parliament than those which have been made; that they should specify things which are not specified in the Minutes and Proceedings of the House;" and that having been done, the House would not have been deprived of its jurisdiction and authority in this matter. The House would then be able to direct that these Minutes, as desired by Mr. Speaker should be made, and the House would not be deprived of the opportunity of deciding and judging of a matter with regard to which I have shown, by precedents, the House of Commons has always been exceedingly jealous and tenacious. I do not wish to occupy the time of the House further, and I will conclude by merely moving—

"That any Report or Record of the Proceedings of this House, or of a Committee of the whole House, made, taken, or kept by the officials of this House as an official act or otherwise without the previous order or sanction or knowledge of the House, and for purposes not revealed to the House, other than the Notes or Minutes of the Orders and Proceedings of the House, or of the Committee of the whole House, taken at the Table by the Clerk or the Clerk's Assistant, is without precedent in the customs and usages of Parliament, and is a breach of the Privileges of Parliament."

Mr. SPEAKER: I wish to point out to the hon. Member that the Resolution placed in my hands does not correspond with the words of the Resolution as moved by the hon. Member. [Mr. Parnell: If I am in Order, I will explain.] The hon. Member concluded with these words—"and is a breach of the Privileges of Parliament." But the Notice placed in my hands goes on to say—"and a danger to the liberty and independence of debate." Does the hon. Member wish to drop those words?

Mr. PARNELL: Yes, Sir.

Mr. O'CONNOR POWER: I rise, Sir, for the purpose of seconding the Resolution which has just been moved by my hon. Friend the Member for Meath. I intend to follow his example, and to assure you, Sir, that it was not from any disrespect of your authority that the proceeding I ventured to take yesterday, in reference to the matter which is now submitted for the consideration and decision of the House, was taken, nor is there any intentional disrespect in my action to-day in seconding the important Motion which has just been made. When we had an opportunity yesterday of putting to you, Sir, a Question on this important question, you were kind enough to inform us that the reports which were being taken by the gentleman who had been placed in the Gallery were only an extension of the Minutes taken in the usual way by the Clerk at the Table. The ground on which I felt that the proceedings in the Gallery could not be defended upon any reference to the proceedings of the Clerk at the Table was this—that the Minutes taken by the Clerk at the Table are printed, and circulated, read, and examined, and submitted to the Members of this House; that the reports which were being taken in the Gallery of the House had not been submitted to the House; that they were ordered by you, Sir, without any Order from the House, without the knowledge of the House, and without the sanction of the House; and it was upon those grounds, and not at all from any desire to question your motives, Sir, in making the arrangement, that I felt justified in questioning the proceeding and in expressing the opinion that I am here to-day to reiterate, that the proceeding was altogether without precedent in the history of the House of Commons, or in the Records of Parliament. If you had felt it to be necessary, for the more efficient discharge of your difficult duties, that you should have these reports taken, I think it would have been only fair to the House to have asked the consent of the House, and to have given the House an opportunity of saying whether the proposed arrangement was one which was in accordance with practice and precedent, or one likely to effect the great public object which, undoubtedly, you had in view in making the arrangement. Now, my hon. Friend the Member for Meath (Mr. Parnell) has shown, conclusively, that there is no original authority in the Speaker of the House; that whatever authority he wields and possesses, he wields and possesses as the representative and mouthpiece of this House. I say, then, that that being so, I cannot understand how an act of this kind can be sanctioned, unless it has been ordered by the House itself; and I look upon that as the very strongest point—it is the object of the Resolution moved by my hon. Friend to assert here to-day. Now, reference has been made to the difficulty which the House has felt in passing the Army Discipline and Regulation Bill, and you, Sir, were pleased to refer to the protracted discussions upon that Bill as your principal reason for authorizing these unusual Reports to be taken; and there can be no doubt that by referring to the particular discussions which have taken place on a particular Bill, you call up before the mind of the House, and the mind of the country, those who have taken the most prominent part in the subjects discussed. That being so, is it not natural that a number of the Members of this House, who have taken a conspicuous part in the discussion of that Bill, should feel that this arrangement was one that was levelled at them, and, in this way, that their independence as Members of Parliament might become entirely fettered by the arrangement. Now, Sir, unfortunately, a misapprehension which frequently prevails about the conduct of our Business here is reflected in the information that is circulated to the public out-of-doors. I was surprised to find in a respectable morning paper which I read this morning, that our object was asserted to be an attack upon the Speaker of the House when the Speaker of the House was absent. Now, my object, on the contrary, was to prevent a discussion of the conduct of the Speaker in a Committee of the House, and I moved to Report Progress, so that I might bring back the whole *venue* of the case to the House with the Speaker in the Chair. I, therefore, give the statement contained in that newspaper a most unqualified denial, and I brand it as a deliberate falsehood on the part of the public writer of that journal, who has had the temerity to print such an account. It has been said, on more than one occasion, that if certain Members of this House continue to exercise their privileges in a manner which has been found irksome to Her Majesty's Government, it might be necessary for the House to take certain action with regard to those hon. Members. I do not know how far suggestions of that kind have had any influence on you, Sir; I only know that it was your duty to take notice of any unusual proceeding in this House. I do not find fault with the anxiety which you have exhibited as to these proceedings with regard to the dispatch of Public Business, and I say, once again, that there is no Member of this House who has a more sincere admiration for the manner in which you have usually discharged the duties of your high office than I have. But I trust it is not inconsistent with this opinion to believe that, in a particular instance, you have done what, on a further consideration of all the circumstances of the case, you might yourself be inclined to think unwise and unnecessary. Now, that is all. But the intentions of any hon. Member of this House, and particularly of the highest authority of this House, do not colour the effect of the proceeding. When anything is done which is unprecedented and unusual, and it may be used as a precedent for further action, we have not merely to ask ourselves what was the motive with which the thing was done. I have no doubt the motive was a perfectly honourable motive; but the House is to ask itself—what has been the effect of the thing that has been done? That is the question submitted to the House by the Resolution of my hon. Friend. It is an extraordinary thing that hon. Gentlemen who are proud of the character of the House, and of its dignity, should feel themselves restrained in making reference to any particular occasion. My hon. Friend the Member for Meath said yesterday—and in saying it he expressed the sentiments of most of his countrymen in this House—that in every case where the decision of the House has been recorded, there was no other course open to them than to bow to it. Let it be known here to-day, and let it be known in the country, that we have never, on any occasion, refused to bow to the decision of the House. Let it be known also that we have never refused to accept the ruling of the Chair on a distinct point of Order. Now, these are cases in which we have been greatly misrepresented. I only intend to trouble the House with a few words more, and I have simply this to say—that references as to the pains and penalties which may follow my action as a Member of Parliament will not have any influence on my conduct as a Member of this Assembly. I am here as a Member of a Party that has been sent into this House to carry a great object. I may say that it is nothing less than to win the legislative independence of a nation; and if the Irish Members are in earnest in carrying forward that great mission, there are no pains and penalties which Her Majesty's Government can inflict which they will not be prepared to encounter, rather than allow themselves to be fettered in the discharge of their public duty. But I appeal to English Members to consider the position in which they are placed to-day. They are now, perhaps, for the first time in the memory of the oldest Member of the House, called upon to say whether they will sanction or repudiate what, I think, has been proved to be a gross violation of their Privileges. If it were not for the Irish element which is mixed up in this question, I believe the House would lose no time in recording its repudiation of the action which the highest authority has thought proper to take; but because of the national prejudices which have been allowed to be mixed up in the consideration of this question—for that reason only, English Gentlemen and Scotch Gentlemen—hon. Members of this House from England and Scotland, will have to be on their guard against their own prejudices. They must remember that if they consent to the striking-down of any Privilege an Irish Member possesses as a Member of this House, they are sanctioning the striking-down of Privileges equally their own. It will be very curious if, in the future history of the British Parliament, it shall be said, and said with truth, that that nation which was last admitted within the portals of the Constitution, that country which was the last admitted to a share in the Government, was the first in the great hour of trial to that Constitution to come forward as its only vindicator. It would be still more unworthy of the past history of the House of Commons, if we should ever have to say of it, what Byron said of an ancient classic people, that—

> "Its self-abasement paved the way
> For villain bonds and despot sway."

I have only to reiterate my determination to go on in the discharge of my duty, respectfully submitting to the decision of the House, strictly acting in accordance with the Rules of the House, firmly planting myself within the safeguards of the Constitution, and defying intimidation, whether it comes from public journals, or from any other source that may be influenced by the coloured reports of our proceedings which these journals transmit throughout the country.

MR. SPEAKER: In order to insure accuracy, I must ask the hon. Member for Meath (Mr. Parnell) to bring up the terms of his Resolution.

Resolution *brought up*, and read accordingly.

Motion made, and Question proposed,

"That any Report or Record of the Proceedings of this House, or of a Committee of the whole House, made, taken, or kept by officials of this House as an official act or otherwise without the previous order or sanction or knowledge of the House, and for purposes not revealed to the House, other than the Notes or Minutes of the Orders and Proceedings of the House, or of the Committee of the whole House, taken at the Table by the Clerk or the Clerk Assistant, is without precedent in the customs and usages of Parliament."—(*Mr. Parnell.*)

THE CHANCELLOR OF THE EXCHEQUER: I hope, Sir, that the House will not allow itself to be led away by the closing remarks of the hon. Member for Mayo (Mr. O'Connor Power) into any discussion foreign to the matter which has been brought before us. We entirely acknowledge that our fellow-Members from Ireland are as much interested in the preservation of the Privileges of this House as any Members who sit on this side of the House, and we entirely acknowledge their right, if they think that those Privileges are in danger, to call attention to the subject, and to make any Motion which they may think necessary for their protection. And I would further say, with regard to the remarks of the hon. Member for Meath (Mr. Parnell), that I think there is no question whatsoever as to its being entirely within the right of any Member of this House to call attention to the conduct of Mr. Speaker, if he thinks it right to do so, and that the House is fully entitled to pronounce its judgment on any proceeding on the part of Mr. Speaker on which it may think it right that judgment should be passed. There can be no doubt, whatever, and you, Sir, have more than once expressed such a sentiment to the House, that the Speaker is not the master of the House, but the servant of the House. But I venture to say there is nothing in the conduct you have pursued since you occupied that Chair which has shown that you have been in the slightest degree forgetful of the relations in which you stood to the House. Never, I will venture to say, has any one of your distinguished Predecessors occupied that Chair with a higher character for entire impartiality, dignity, firmness, and courtesy, in the Chair. Now, Sir, having said so much, I hope I may venture to add that, recognizing, as we do, the manner in which you have fulfilled your obligations to the House, it is not too much to express the hope that the House will, in turn, fulfil its corresponding obligations, and that both, as a matter of justice and fairness to Mr. Speaker, and as a matter of convenience in the conduct of our proceedings, and in respect also of the dignity of this Assembly, we should endeavour in all that we do to maintain an attitude of strict and sincere respect for the Officer who presides over our deliberations. That respect must not be respect of the lips only. I do not wish to enter unnecessarily into painful controversy; but I do hope the House will bear in mind that it is not consistent with that respect to come as near as possible to the limit which borders upon a contrary course of conduct. Now, Sir, the hon. Member for Meath, in the form of a Motion, has submitted certain propositions to the House. It is impossible to consider these proposals apart from the circumstances which have given occasion for their being brought before us. Whatever might be our opinion of any abstract Resolution of the nature of that which we are asked to put upon record, we cannot shut our eyes to the fact that it is intended as a reflection and a sneer upon the conduct which you, Sir, have pursued, and which you have announced to the House. We cannot but remember that this has grown out of an occurrence which took place yesterday, when Notice was taken of the presence of a gentleman who was taking notes in the Gallery, with regard to whose proceedings you were invited to give some explanation. Upon that question being raised, the explanation which you gave was this—that the gentleman in question was there by your direction, that you had desired that Minutes should be taken of the proceedings on the Army Discipline and Regulation Bill of a fuller character than those which are usually taken from day to day. Those Minutes were taken by your direction, and for your information, and I beg to submit to the House that in taking that course, you were, in the opinion of the House, fully justified in the course which you took. I think it is incumbent on the House, if they are satisfied that the course you pursued was one which you were justified in taking—I think it is incumbent on the House, regarding the relations in which we stand to our Speaker, and having regard to the fact that your conduct has been challenged—I think it is incumbent on the House to support you by putting upon record their sense of the propriety of your conduct in this matter. Now, Sir, I apprehend that there is no question whatever as to the right of Mr. Speaker to be cognizant of the proceedings of Committees of this House. There is no doubt, whatever, that when the House is in Committee, it is within the right of Mr. Speaker to take his seat among the other Members, and take part, if necessary, in the debates, and in any division that may take place in Committee. It is not now usual that he should do so; but many of us can remember occasions when Mr. Speaker has taken part in debates in Committee. I understand that it is within the right, and that it is part of the duty, of Mr. Speaker to take notice of the proceedings of Committees, not in his capacity as a private Member, but even in his capacity as Speaker, for I observe here, that, amongst our Rules—Rule No. 211 runs thus—

> "If any sudden disorder should arise in Committee, Mr. Speaker will resume the Chair without any Question being put."

It is, no doubt, the case that it is necessary the Speaker should have cognizance of what passes in Committee, in order that he may take such measures as he thinks necessary for keeping Order in the House. Well, Sir, then the question also arises, whether, if Mr. Speaker may himself be present, may he, or may he not, require that information, when he is not present, should be taken for his guidance and convenience by any other person? I apprehend that there is no question about that. The hon. Gentleman the Member for Meath said that it is entirely contrary to the Orders of the House that any Notes should be taken in the House, except the Notes taken by the Clerk at the Table and published day by day. That is not so. It is not in accord with precedent that we should lay down such a Rule. For many years it has been the practice of the Clerk to take Notes of the names of hon. Gentlemen speaking, and the length of time they speak, and these Notes have been kept for the information of the authorities of the House, but have not been printed or circulated among the Members of the House. I hold in my hand one of these books, which dates back to the year 1850, and I see the names of every hon. Member who spoke, the hour at which he rose, and the number of minutes he was engaged in speaking, recorded here, and that, I believe, has been a practice which has been continued since that time. It is not covered by the hon. Gentleman's Motion; but it is a practice which, I apprehend, is perfectly consistent with the Privileges of the House. I can see no difference in that practice, and what has recently been done by your orders, except that there is a little more information—a very little more information—in the Minutes that have been taken by your desire, and for your guidance and information. I wish, then, to ask the House if it is not for the convenience of us all that such a record should be kept? We know perfectly well that we cannot have complete information conveyed to us as to full details of debate in the printed Orders. We know that the reports circulated by the Press give a tolerably full account of what takes place in the House; but on such occasions as those to which reference has been made—discussion in Committee—when there are frequent and short speeches, we know quite well that the Press will not report them; and if you wish to have anything like an accurate idea of what takes place in Committee, it must be by some means of an exceptional character that we can obtain the information. I would point out that you, Mr. Speaker, have, on more than one occasion, like your Predecessors, on other occasions, been asked to give evidence before a Select Committee of this House, in order to guide us on questions relating to our Rules and Proceedings, and the advice given to us on these occasions by our Speaker has always been advice of very great value. It is perfectly well known that one of the questions which have occupied of late the attention of a Select Committee has been, whether it would be right, or not, to put any restriction upon the great latitude which at present exists in debates in Committee, and it is not at all an undesirable thing that the Speaker should inform himself in regard to the proceedings in Committees, so that the question being raised, and his advice being sought, he can give that advice with a knowledge of the circumstances. But, Sir, I am only suggesting reasons which may have induced you to take the course you have, in taking steps to obtain information for yourself. What your motives were, are, of course, in your own breast, and I do not see that there is any occasion on the part of the House to ask for them. We are not injured by what has taken place, nor do I see anything that need arouse our susceptibilities. The hon. Member for Meath has founded his complaint on precedents and Rules which he found laid down in old text books in regard to the publication of our debates. But the hon. Member and the House are perfectly aware that many of these Rules were adopted at a time when we held a wholly different theory with regard to the propriety of the publication of our debates. In the days from which he chiefly draws his examples, it was considered by the House of Commons that it was most undesirable and most improper that a stranger should even come in and listen to the debates, or that the Proceedings should be in any way published, because the effect of such publication might, in those times, have caused inconvenience, and might have led to an interference with the freedom and Privileges of Parliament. Therefore, it was that steps were taken not only to exclude strangers—not only to forbid the unauthorized publication of reports, but also to restrain the liberty of the House itself in the matter of taking Notes. But, surely, all that relates to a time which has entirely gone—[*Cries of* "No, no!"] I hear some murmurs of "No;" but I must say they proceed from a quarter of the House where I should have least expected them. I should have thought that the Gentlemen who are now so sensitive in regard to these Notes being taken, were exactly the Gentlemen who were most anxious to obtain free and fair publication of our proceedings. I should have thought—though I said I would not refer to the closing remarks of the hon. Member for Mayo, that Gentlemen who had so high a task imposed upon them to give battle, as they say, against such odds would desire to appeal to public opinion, and make their sentiments as widely known as possible. Instead of thinking it something threatening and menacing to them, I should have thought the privilege of being reported as having spoken a great many times, and having taken an active part in a debate, would have been matters they were proud of. It is not for me to enter into that mysterious problem as to what are the motives of these hon. Gentlemen in taking these proceedings. I will content myself, attention having now been called to the matter, by taking the step of opposing the Resolution by some Amendment which shall affirm our confidence, Sir, in your conduct. I feel that that is not only due to you, but it is due also to ourselves. We know perfectly well that, at the present time, there are great difficulties in the conduct of the Business of the House. We know perfectly well that there are great difficulties attending any alteration in our Rules or Standing Orders, and we know also that it is within the power of any Member, by following the letter of the Rules, to cause inconvenience to the House, and, perhaps, tend to lower its character in the eyes of the public, although it is probable that he would do so at the expense of his own reputation among his fellow-Members. It seems to me the very first duty we owe to ourselves and the House in which we have the honour to sit—the first duty, on our part, is to support the authority of the Chair, and to assure Mr. Speaker of our readiness to assist and stand by him, when he finds it necessary to take any step with a view to the conduct of Business in a business-like manner. Therefore, I will move, as an Amendment to the Resolution of the hon. Member for Meath—

> "That Notice having been taken while the House was in Committee, of the presence in one of the side Galleries of a gentleman engaged in taking notes of the proceedings of the Committee; and Mr. Speaker having informed the House that the gentleman was an officer of the House, and was so employed under his direction, and that the notes taken by him were for the confidential information of the Speaker, this House is of opinion that Mr. Speaker was justified in the directions given by him and is entitled to the support and confidence of this House."

THE MARQUESS OF HARTINGTON: I rise, Sir, to second the Motion which has been moved by the right hon. Gentleman. It will not be necessary, fortunately, that I should detain the House long in explaining why I do so. The reasons which have induced the Chancellor of the Exchequer to move the Amendment are so obvious that they can be stated in a very few words. In the first place, I must say that I think the House will now, at all events, admit that it was fortunate we adjourned the consideration of the question until it could be deliberately taken up, and much more convenient than the course that was originally suggested. It is extremely desirable that such a subject should be brought forward as calmly, as deliberately, and with as much absence from excitement as possible. I think the House will be disposed to admit that this was a question entirely within the right of the hon. Member for Meath (Mr. Parnell) to bring before the House, and he has done so in a speech of great moderation. I can only trust, if it is necessary that this discussion should be at all protracted, that the further debate may be continued in the same spirit. There are one or two observations to which I wish to make reference. The hon. Member has argued at considerable length a question as to the original jurisdiction of the Speaker. Now, that does not appear to me to be a subject on which it is necessary to dilate; but I must, however, say that the hon. Member in describing the functions of the Speaker has once or twice used an expression which, if not altogether inaccurate, does not, at all events, accurately describe the position of the Speaker of this House. The hon. Member has said that the Speaker is only the servant of the House, and he has brought forward precedents to show that Speakers have described themselves in that manner. Now, Sir, I think in all matters of external authority, the Speaker, undoubtedly, is only the servant of the House; but I do not think that expression adequately describes the position he holds within the House. The Speaker, as we all know, is not only the servant of the House, but he is the highest authority within the House; he represents the House itself, and is the embodiment of the authority which the House must possess over its Members for the preservation of Order. Therefore, the description which has been given, though not altogether inaccurate, is still scarcely adequate. The right hon. Gentleman, who has just spoken, has naturally referred to the precedents given by the hon. Member as to the jealousy of the House in former times with reference to the taking of Minutes of its Proceedings. It must, however, have been obvious to any Member, that these precedents referred entirely to a time when the House entertained a strong and natural jealousy of permitting any reports of its Proceedings. Every precedent which the hon. Member has brought forward refers to the taking and publication of Minutes of the Proceedings of the House. It would have been easy to have found far more numerous precedents referring to the publication of debates, as to which the House, up to a much more recent period, entertained great jealousy. Now, Sir, it seems to me that the reasons of the proceedings on the part of the Speaker, of which the House received information yesterday, are extremely obvious and extremely simple. It is a matter which is known to every Member of the House, that the delay in our Proceedings has been a matter not only of public notoriety, but of discussion in the House, more or less, during the last two or three Sessions. It has also been the subject of inquiry before a Select Committee of this House, and it may again become the subject of inquiry. It is natural, usual, and expedient, when such inquiries take place, that the Speaker of the House and the Chairman of Committees, the highest authorities in the House, should be selected by such Committee to give it information, advice, and guidance. That course was taken. These Gentlemen were examined before the Committee; but I think it will be in the recollection of every Member of that Committee that, on account of the extremely meagre character of the ordinary Minutes of our Proceedings, neither the Speaker, nor the Chairman of Committees, was able to lay before the Committee the full and complete information as to the causes which led to the protracted character of our Proceedings, and the delay which had arisen, which they would have desired to do. Under these circumstances, it was extremely natural that the Speaker should consider it necessary, in case further inquiry was thought desirable, to place himself in possession of the means of giving the House full and impartial information regarding the circumstances. Well, Sir, though I think that the precedents quoted by the hon. Member had very little, if any, application to the present state of things, I am quite willing to admit that it might be difficult to find any record of precedents directly applicable to the proceeding which has been directed by Mr. Speaker. But I think that absence of precedent is not to be wondered at, and ought not, necessarily, to influence our judgment. The fact is, the present state of things—and I am not now going to express any opinion upon it—is altogether without precedent; at all events, to be more correct, without precedent of any ancient date. It is a state of things which is not absolutely new, and which, not to go further back, dates at all events from the time of the last Parliament. It will be within the recollection of hon. Members who sat in the last Parliament, that a considerable number of hon. Gentlemen, some of whom now occupy distinguished positions on the Bench opposite, thought it necessary, in the discharge of their duty, to discuss at very great length the provisions of measures which were brought forward by the Government of that day. That example has been followed to a great extent—I am not going to say it may not have been improved upon—and the effect is, that certain measures of the Government are, at present, discussed at a length so great, that almost the whole time of the House is absorbed in their consideration; and the consequence is, that other measures which have been brought forward cannot be considered at all, or have to be considered very inadequately; and, further than that, some measures of great interest, which independent Members desire to bring forward, scarcely find time for discussion, and the Business of the House in Committee of Supply has to be postponed to a period of the Session when it can only be discussed in a very perfunctory manner. That is a state of things without any ancient precedent, and it is, therefore, only natural that there should be no ancient precedent for any remedy which it may be possible to apply to it. I am not now going to discuss what remedy, if remedy there be, should be applied—at all events, it is safe to say that it is a condition of things which, however patient the House may be—and I think no one will deny that the House has, under the circumstances, shown great patience—the House will not permanently endure, and for which it will be driven some day to find a remedy; and it is of the very first importance that, if any remedy is to be sought for, it should be sought for deliberately and with full information. I think that, under these circumstances, not the censure, but the thanks, of the House are due to the right hon. Gentleman in the Chair, who has taken upon himself the responsibility of obtaining for himself and, if necessary, the House that information which is necessary. I cannot think for a moment that it is a proceeding invidious to any Member or set of Members in this House. Not one of us doubts—however much we may object to the way in which hon. Members discharge their duty—that what they do is, in their opinion, in discharge of their duty, and I cannot see how it can be supposed to cast the slightest reflection on any Member of the House that full and accurate information should be obtained. I have only, in seconding this Amendment, to add on the part of Members who sit upon this side of the House, my tribute to that offered by the right hon. Gentleman as to the perfect and complete impartiality with which you, Sir, have discharged the duties of your high office. Circumstances have occurred within the last two or three years which have called for the exercise of great judgment, temper, tact, and impartiality; and I must say that I think every hon. Member—whatever view he may take of the conduct of the House towards him on particular occasions—must, upon reflection, bear witness to the perfect impartiality he has received at your hands. I have risen with these few remarks, Sir, to second the Amendment which has been moved by the right hon. Gentleman the Chancellor of the Exchequer.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "Notice having been taken while the House was in Committee, of the presence in one of the side Galleries of a gentleman engaged in taking notes of the proceedings of the Committee; and Mr. Speaker having informed the House that the gentleman was an officer of the House, and was so employed under his direction, and that the notes taken by him were for the confidential information of the Speaker, this House is of opinion that Mr. Speaker was justified in the directions given by him, and is entitled to the support and confidence of this House,"—(*Mr. Chancellor of the Exchequer*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR JULIAN GOLDSMID, who rose amid cries of "Divide, divide!" said: I think, Sir, all will be of opinion that our proceedings to-day will not be improved by hon. Members opposite exhibiting such impatience the moment a Member who, I suppose, they imagine may in some points disagree with them, rises to make a few observations. I think that you will admit, Sir, that ever since I have had a seat in this House I have been willing to bow to your authority, which I have also endeavoured to support, so far as I can, in every way. Therefore, in my opinion, the Chancellor of the Exchequer did not put the issue which is to be considered to-day quite fairly, when he said this was a discussion on the question whether you were strictly impartial or not. I apprehend that nobody either in or out of the House, would venture to dispute the assertion that you are, or refuse to acknowledge the cheerful kindness that you show to every Member in the discharge of his duty; and if we want to establish a question of practice, I, for one, do not in any way desire to question it. Now, Sir, the right hon. Gentleman said that this was a question of free and full publicity; but, in my view, the Notes you desired to have taken were not for the purposes of free or full publicity, but for the purpose of giving you a record of our Proceedings in Committee, of which you have a right to be cognizant, and nobody, so far as I know, has disputed your absolute right to be so cognizant. But, Sir, the point is this—if it is desirable, as it may very well be, that more accurate Notes should be taken of the proceedings in Committee, I should have thought it desirable that the Leader of the House should rise in his place and propose some plan by which that could be done. The result of that would be that we should all have the benefit of those Notes, which, I have no doubt myself, might be of great use to us all. Therefore, if the practice, which you, Sir, in your discretion have thought it right to initiate, is to be continued, I should venture to suggest that these Notes should be regularly published, in order that other Members may have the advantage of the information which they may contain. By this means, we should get over some difficulties and avoid those large issues which the Chancellor of the Exchequer has, in my opinion, unfairly endeavoured to raise. I took down the right hon. Gentleman's words. He said it is convenient for us all that such records should be kept. How can it be convenient for us all that such records should be kept, if we are not to be informed of what those records are? Therefore, I should venture to suggest that there might be considerable advantages if these records, which, you Sir, have directed to be prepared, could be published for the advantage of us all. The Chancellor of the Exchequer has referred to the Notes which have been taken since 1850, and also to Notes which are sent to the Clubs; but I wish to point out that these are not official records, and could not be referred to in any debate in this House. The point, however, which I especially desire to submit to you is this, if, as I have no doubt, you have found these Notes of advantage, would it not be better to give them a more official character, and allow all hon. Members to see them and benefit by them?

MR. GLADSTONE: I do not, Sir, feel quite certain whether I ought to intrude myself upon the House on this occasion, when it is evident that the House thinks—and I confess that I concur in the opinion—that there is no occasion for a lengthened debate; but it is one of those opportunities when, if I must run the risk of incurring an error, I would rather run the risk of incurring an error by speech than of committing an error by silence. I have sat here under the rule of five different Speakers, and this is the first occasion that I can recollect the submission of a Motion to the House impugning in any way the conduct of the Gentleman who fills the Chair. That is sufficient to mark it as a grave occasion, and everyone must feel that it deserves that character. However, Sir, a great change has taken place in the Motion, to which I wish to call the attention of the House. When we were first informed of the nature of the Motion which the hon. Member for Meath (Mr. Parnell) intended to submit, it was a Motion which made three assertions. The first, and by far the smallest of these assertions, was that the act, of which he had felt it to be his duty to take notice, was an act which was without precedent, and that it was not conformable to the usages of the House; the second assertion was, that it was a breach of the Privileges of the House; and the third assertion, more formidable than either—though the second was formidable enough—was that that breach of the Privileges of the House "constituted a danger to the liberty and independence of debate." Undoubtedly, Sir, allegations of that kind, entertained, as as they undoubtedly were, conscientiously and sincerely, were those which a Member, having that belief, might very well think himself called upon to submit to the notice of the House; for it requires no argument to show how profound is the interest of this House, not only in the integrity and impartiality, but in the sound and strong judgment of their Speaker, and how serious would be any deviation from the line of accuracy, on his part, in dealing with the questions which he has to determine. Therefore, I fully admit the sufficiency of the cause which the hon. Gentleman had before him. But, strange to say, we are now about to vote upon a Motion, from which not indeed the whole, but by far the larger portion, has entirely disappeared. There has been withdrawn the assertion that the Act constituted a danger to the liberty and independence of debate. In the speech of the Seconder of the Motion the expression, indeed, was used, that your proceeding, Sir, had been a violation—a gross violation—of the Privileges of the House; but that assertion, which stood as we had supposed in the Motion, has likewise been withdrawn, and we are now called upon by the hon. Member for Meath to give our votes simply for an allegation that the act which has been done is an act not conformable with the usages and precedents of the House. That, certainly, is a reduction of the indictment upon which I cannot but congratulate the distinguished and eminent person who was the object of that indictment; but it is nevertheless a reduction upon which I cannot congratulate the hon. Member for Meath, who ought to have measured the amount of the necessity before him, and the nature of the challenge he wished to deliver, before proceeding to take so serious a step as that of bringing your judgment into question in a manner which does not admit of compromise. It is not possible to pass by an occasion of this kind. It is the very first dictate of the commonest justice to the Speaker in the Chair, nay, more, it is the first necessity of our own existence as a deliberative Assembly, that we should have no mistake whatever as to the position of our Speaker. Either he possesses our confidence or he does not. I must say that while no one can regard with pleasure an occurrence of this kind, yet it brings with it to my mind, at least, this satisfaction—that I believe in the discharge, Sir, of your weighty duties, you will find your hands not weakened, but strengthened. I will not refer to any of those subjects, more or less extraneous to the debate, which have been touched upon, especially by the Seconder of the Motion; but I wish to give in my entire adhesion to the statement of my noble Friend the Leader of the Opposition, on the subject of the general idea of your office, and likewise to the argument, which appeared to me alike clear and conclusive, of the Chancellor of the Exchequer upon the practical considerations which, it is obvious, must have governed your mind, Sir, in the particular course you thought it expedient to take. But this I wish to do, as it has not yet been done—I wish to call the attention of the House to the fact that if we are to adopt the reduced and attenuated Motion of the hon. Member for Meath, we shall, Sir, along with you, condemn the practice which it now appears has been in use for 20 years. I do not dispute our title to condemn that practice; but it has never been formally brought before the House, while even many hon. Members of the House have probably been ignorant of its existence. I frankly own I am not disposed to condemn it. I see no reason why the information should not be had; indeed, I believe it to be very convenient information; but strange, indeed, would be our position if we were now to make the condemnation of that practice which has undoubtedly been within the knowledge of many Members of the House from time to time, and which has never attracted a word of disapproval or legislative censure on the part of Gentlemen who now sit at the Table, and who have sat there for 29 years, because of the existence of that habit of noting down particulars which has to-day been informally made known to us. I entirely concur with those who think it is idle to go back to the precedents of the 17th century, unless with the purpose of reading them accurately and applying them with justice. Otherwise, they would be absolutely misleading. The precedents, of which the hon. Member for Meath has quoted a score of instances, are beyond all doubt; but they are precedents which appertained to the integrity of the functions of the House and to the independence of its Members. It was impossible, under the Tudor and Stuart rule, for the Members of this House to have any security, even for their personal liberty, if the sentiments which they individually expressed were liable to be made known to the Sovereign. We cannot, I am afraid, deal with this Motion in any other way than by subjecting it to a distinct negative. For my own part, however, I entirely concur in that which I believe to be the general sentiment of the House with respect, Sir, to your conduct in the Chair. I will even go one step further, and will say I am quite sure that when the Seconder of the Motion himself paid a tribute to that conduct, he intended that tribute to be sincere and emphatic; and although he thought it his duty—I think, very unhappily—to except the present occasion from the scope of his observations, I am convinced that he, too, and, in fact, every Member of this House, with respect to that conduct in the Chair, entertains but one and the same opinion. The opinion of the House being perfectly clear and intelligible on this point will show that we recognize your object, Sir, to be the simple object of placing yourself in a position to advise the House in case of your being called upon for your weighty and authoritative opinion upon any question concerning the Order of the House and concerning the conduct of Business. We believe that you have been governed only by the one sentiment which always prompts you—namely, the desire to discharge your functions in the most efficient manner. Knowing that sentiment, we desire to reciprocate it on our part by every declaration in our power.

MR. COURTNEY thought that every Member of the House must feel deeply conscious of the extreme gravity of the discussion in which the House was now engaged. He wished to explain why he felt constrained to take a different course from that which appeared to have been resolved upon by the noble Lord the Member for the Radnor Boroughs (the Marquess of Hartington) and the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), and why it seemed to him to be impossible to adopt the Amendment which had been moved by the Chancellor of the Exchequer. He hoped it was unnecessary for him to repeat what had been said by every speaker—that he entered into the discussion with the most profound respect for the Speaker, and the deepest admiration of the very impartial and, he might say, the good-natured way in which the right hon. Gentleman had presided over their proceedings. ["Divide!"] The right hon. Gentleman the Member for Greenwich had told them that, although he had sat in the House under five Speakers, he never, until now, knew a Motion brought forward impugning the conduct of the Speaker. [*Renewed cries of* "Divide!"] He hoped that, while he was venturing to make the few observations he purposed, hon. Gentlemen would give him the benefit of a little silence. It had been shown that Mr. Speaker had taken original action. It had also been shown that that original action was of a nature inconsistent with precedents, and unauthorized as far as precedents were concerned. If it were to be defended at all, it must be defended upon grounds which must be examined, because they were inconsistent with the past history of the House. What was the kind of defence which had been offered by the Chancellor of the Exchequer, and supported by the noble Lord the Member for the Radnor Boroughs? The Chancellor of the Exchequer had stated that the action on the part of Mr. Speaker was of public utility. Now, he was not prepared to deny that; but it should be borne in mind that the Chancellor of the Exchequer also referred to the Notes as being confidential. Consequently, any argument as to the utility of the Notes, on the ground of their public character, failed altogether, when it was also stated that they were confidential. It might well be that such Notes might have been useful for public purposes; but, then, they were taken without authority. It was clear that, from the time of Rushworth, the House had had control over the Notes which were taken; whereas the Notes which had led to the present discussion were taken in a perfectly private way, and were not known to, or sanctioned by, the House. Moreover, if similar Notes had been taken by the Clerk at the Table since 1850, where was the necessity for new action? The defence of the Chancellor of the Exchequer altogether failed on that ground also. The argument of the noble Lord the Member for the Radnor Boroughs went straight to the question. He urged that the House was dealing with an evil which was unprecedented, and that, therefore, unprecedented remedies must be applied. He (Mr. Courtney) entirely approved of that statement. The weakness of the House had been that, for some time past, they had not recognized the unprecedented conjuncture of circumstances. They were dealing with men who had small respect for traditions, and set at naught mere conventions and understandings; and, in the presence of this fact, it would be necessary to institute new Orders and Regulations. But the evil had been public, and the remedy must be public. To take action privately was not the way to deal with this unprecedented evil. Lawyers stated that hard cases made bad law, and he was afraid that the difficult position in which hon. Members were now placed might lead them into injudicious courses. He spoke not without some feeling on the question, because, two years ago, his own wings were nearly singed. At that time, the conjuncture was difficult and unprecedented. The House, with the connivance of its Leader, and the approbation of one right hon. Gentleman (Mr. W. E. Forster) and of one hon. and learned Gentleman (Sir William Harcourt) on the front Opposition Bench, took a course which had since been deeply regretted. They were paying, at the present moment, in South Africa, for the folly then committed. Now they had, again, an unprecedented evil, and, instead of approaching it publicly and discussing it publicly, and adopting public means for its suppression, private and unrevealed means were being taken for its suppression. The course they were adopting would not remedy the evil, and the taking of such a course was deeply to be regretted. The means taken did not approve themselves to his conscience. The situation was a most difficult one, and they ought to approach it by other measures, and correct it in another manner.

Sir JOSEPH M'KENNA said, that if for the last 50 years, a sort of record had been kept of the number of occasions on which hon. Members spoke, and of the amount of time each speaker occupied, he was sure that a perusal of it would at once free him (Sir Joseph M'Kenna) from a charge of frequently intruding himself upon the House. With respect to the subject before them, if it had been publicly proposed by the Leader of the House, or by the Leader of the Opposition, that officials should be appointed to take Notes with the view of the furtherance of Business, and of bringing to bear the judgment of the House under the peculiar circumstances with which they were all familiar, he would have voted for the Motion. He believed it was essential that the Business of the House should be carried on with despatch, and there was a good deal to be said to show that the Business had not been carried on in a manner that was satisfactory either to the House or to the country. At the same time, he did not think it was fair to leave the question on the footing of personal confidence in Mr. Speaker. He regarded that as putting the matter on an entirely false issue. He had, in common with almost every hon. Member on that side of the House, the highest possible respect for the judgment and fairness of Mr. Speaker. The consideration which he freely extended to the humblest Member, and the patience with which he listened to them from time to time, were borne in mind gratefully by many, and by none more than by himself (Sir Joseph M'Kenna); and he would say, for his own part, that up to the time when the hon. Member for Meath (Mr. Parnell) withdrew a part of his Motion, which appeared to bear a contrary interpretation, he was perfectly prepared to vote against it. But the question now stood in quite a different position. The Motion asserted that an unprecedented practice had lately been originated by Mr. Speaker; but it would now appear from the statement of the Chancellor of the Exchequer that the two gentlemen who had been employed taking Notes in the side Gallery were merely continuing a practice which had been previously adopted since 1850. If that were so, there was an end of the question. He did not think the position had been clearly met by that explanation. Mr. Speaker had stated, with much more frankness than anyone else, that he required the information for his own guidance; and he (Sir Joseph M'Kenna) could easily imagine that Mr. Speaker felt that the information was necessary. If, therefore, any Member of the House, or Mr. Speaker himself, had initiated the question whether the information should be supplied, he would, without going further into it, have voted in favour of its being supplied; but, in the circumstances which had actually occurred, he thought it would have been infinitely better if the practice which had been adopted on the present occasion had been initiated under the direct authority of the House.

MR. NEWDEGATE said, he was surprised at the form which the attack upon Mr. Speaker had assumed. Hon. Members opposite, of the Home Rule section, two or three years ago, voted, as did the right hon. Gentleman the Member for Greenwich, and as he (Mr. Newdegate) also voted, that the House should have something tantamount to official reports of its debates. The House then refused to accede to that proposal. But that decision ought to justify Mr. Speaker in the opinion of the minority on the occasion to which he referred, in the course Mr. Speaker had taken, upon his own authority, in order to secure for himself fuller information. He was surprised that hon. Members who voted for Mr. Hanbury Tracy's Motion on that occasion should now turn round and impugn Mr. Speaker's conduct. He was surprised that hon. Members who voted for the Motion, that the reports of the debates were insufficient, should now turn round, when they felt themselves in a difficulty, and impugn the conduct of the Chair, for that was the inference that must be drawn from the present Motion. These same hon. Gentlemen had protracted the debates in Committee of the Whole House on various Bills, he (Mr. Newdegate) thought, unjustifiably, and thus had increased the difficulty. It was impossible that Mr. Speaker could attend in his place during such protracted discussions in Committee, and now when he pursued a course which the House had sanctioned since 1850 for the purpose of obtaining the information so necessary for the discharge of his functions, to whom any question that arose in Committee was referred, these hon. Gentlemen impugned Mr. Speaker's conduct. In his view, nothing was so important as to support the authority of the Chair. They all knew the impartiality and kindly temper which Mr. Speaker invariably manifested — unsurpassed by any Speaker in his long experience. He held that the hon. Gentlemen who had, by their own conduct, brought about the state of things which existed, ought to be made sensible of the importance of maintaining the authority of the Chair. He was confident of this—that if the House would preserve its own dignity they must now assert it by maintaining the authority of their Speaker.

MR. O'DONNELL: I think it may be regarded as a remarkable incident in the debate that the hon. Member for North Warwickshire (Mr. Newdegate) has spoken for several minutes without once going out of Order. On rising on this occasion, I think it is unnecessary for me to add my voice to the general chorus of praise as to the admirable manner in which Mr. Speaker discharges the duties of the Chair. No one feels or recognizes more fully or thoroughly than I do the genuine kindness, the consideration, and the upright impartiality with which the right hon. Gentleman fulfils his important functions. But all that is quite beside the question now before the House. I listened with attention to the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), and I heard him blaming, or finding fault with, the moderation of the Resolution of my hon. Friend the Member for Meath (Mr. Parnell). The right hon. Gentleman the Member for Greenwich has certainly habituated us for some time to the use of vehement denunciation, and it is evident he has not acquired an appreciation of moderation of language. But I think that the course which has been pursued by my hon. Friend the Member for Meath in dealing with this grave and delicate subject will commend itself to the judgment of the House, and that it may be conceded that, if he has committed fault at all, it is well it has been committed on the side of moderation. The speeches of the Chancellor of the Exchequer, and of the noble Lord the Member for the Radnor Boroughs, consisted almost entirely of just praise of the impartiality of Mr. Speaker, and of recognition of the undoubtedly honourable character of his motives. But that has nothing to do with the question before the House. The real question—and I am treating it generally, and not as regards the special case before us—is, as to whether or not Mr. Speaker should, without the previous sanction of the House, employ confidential reporters, in order to inform him upon the proceedings of Members of that House at a time when he is absent. That is the real question before us, and it has not been touched upon at all by either the Proposer or Seconder of the Amendment. The hon. Member for Liskeard (Mr. Courtney) has alone raised the question in its true character. Now, we do not object to Mr. Speaker's right to be informed of the proceedings of Parliament that take place during his absence from the House. We do not object to an official record being kept; but in the interests of Mr. Speaker himself, of the House, and of hon. Members, we object to hon. Members being spied upon by confidential informers, of no matter how high an authority. It is said that this information is required, because questions of the gravest importance may be brought up. But let me ask the House to consider the two positions. One is that of a Speaker who has become aware of the proceedings of this House through regularly organized channels, under proper safeguards for impartiality, and with proper safeguards for accuracy, and with proper safeguards for veracity. All these questions, Sir, I may point out do not touch you; but they do touch the *media* of your information. A Speaker who can give evidence on information, the means of collecting which have previously been authorized, sanctioned, and regulated by this House, is a Speaker who gives his evidence and advice in the gravest circumstances with every guarantee that his advice should carry with it all the weight it should carry. But, on the other hand, let us consider the position of a Speaker, who being asked his opinion on the conduct of Business in this House, can give no answer less impotent than this—"I was not in the Committee at the time these proceedings took place; but I have learnt from a couple of menial inferior officials of this House, not sworn, not under any guarantee, not under any safeguard worthy of the dignity of this House, or the gravity of the emergency. I have learnt from these two inferior officials"—their private character may be what you will, but I am dealing with their public weight —"I have learnt from them so-and-so, and can give no other assurance than this most limp hearsay evidence." Is it not absolutely certain that the advice of the most respected Speaker who ever sat in your Chair would not be worth more than the weight of the lightest dust that blows, when founded on no stronger evidence than that of a couple of unauthenticated, unguaranteed inferior officials depending upon you? It is impossible, if the object of Mr. Speaker is to become informed of the proceedings of hon. Members of this House, and if the object of Mr. Speaker is to acquire the means of giving this House advice upon certain circumstances which have happened in its Business. If such is his object then in choosing worthless agents of this kind—I use the word without reflection on the individual——["Order, order!"]

SIR LAWRENCE PALK: I rise to Order. I beg to ask you, Sir, whether it is Parliamentary language to speak of the officials of this House as "worthless agents?"

MR. SPEAKER: I am sure the hon. Member will feel that expressions of that kind are unbecoming when applied to officers of this House. They are gentlemen like ourselves, and the hon. Gentleman will, no doubt, withdraw the expression.

MR. O'DONNELL: I thought I clearly explained that I used these words entirely with regard to the legal effect and technical weight, so to speak —["Withdraw!"] — I several times pointed out that I would use the word purely in its legal bearings. ["Withdraw, withdraw!"] I will use the word "unguaranteed," then; but I have a perfect right to use the word I did. The strength of any machinery is only the strength of the weakest part; and if a Speaker desires to have full and complete information, should he not choose a means which should be not of the weakest, but of the strongest kind? In all this, neither your impartiality of intention, nor the possible gravity of future emergencies is contested; neither do we object to the taking of official reports, nor to the taking of unofficial reports of the nature contributed to the public Press; but, as I said, in the interests of every individual, in the interests of this House, in the interests of the permanent authority of Mr. Speaker, we object to a means of information of this irregular and unauthentic character receiving the approval of this House. Do we know, does this House know, has this House any opportunity of knowing, what is the system on which these unofficial reports are taken? Is it a method of a full report of the speeches, or a careful *précis* of the speeches, or is only the substance of the speeches given? Are interruptions mentioned? Are calls of Order mentioned? When a Member on the Ministerial side of the House rises, as Members so frequently rise, to call the speaker to Order, is that carefully taken down? Is it noted that that call to Order gave rise to such-and-such a discussion? Is it noted—which so frequently happens—that the call was rejected by the Chairman? In a word, what guarantee have we that all the circumstances are such as would commend themselves to the general approval of this House? The private respectability of these confidential reporters may be what it may; but without some testimony, without any guarantee of any legal character, how can this evidence, which is no more than legal testimony, weigh with this House, or with the country, if adduced in support of any decision of Mr. Speaker? Unanimously in this House, and most warmly and emphatically on these Benches, without a doubt or hesitation, do we accept your declaration that you have no *arrière pensée* directed against any individual, and that there is no bias in this note-taking. Sir, we have accepted that statement, and this House has accepted it; but, leaving that case, I will take the case of any other Speaker who has recourse to these means. Does he not infallibly expose himself to comments outside? There is a necessity in these days of publicity that the proceedings of this House should be able to bear the test of publicity out-of-doors. At this moment, while every Member has declared that he accepted your assurance that it was with no intention of prosecuting or intimidating individual Members that these Notes were taken—on this very day, what is called the leading journal of this country, *The Times*, absolutely states that you have taken these steps for the purpose of bringing an indictment against certain Members of this House. That is, as we know, a false statement, for which you are not responsible; but it is a statement which reckless writers outside your jurisdiction have the power of making, when the agents you employ are not absolutely guaranteed, and have not previously been submitted to the careful approval of the House of Commons. Yes, Sir, it is not only in our interests, but in the interests of Mr. Speaker, that we make this Motion. Sir, if the agents you employ, or which any Speaker uses, have not previously passed through the ordeal of the examination and approval of this House, it is open to a public journal, with a slight sense of its responsibility, as evidently is done by *The Times* on the present occasion, to contradict your explanation, to refuse to recognize the truth of your assurances, and, in spite of your declaration to the contrary, to say you have set all this machinery in motion for the purpose of bringing an indictment, or of supporting an indictment, against certain hon. Members. It is to defend you, whom we all respect and revere, from the liability to these misrepresentations, that I support the Resolution of the hon. Member for Meath. It has been said that this House is in a difficult position, and we can readily agree, and we can quote reasons which led us to this conclusion, other than those given by the Chancellor of the Exchequer and the noble Lord the Member for the Radnor Boroughs (the Marquess of Hartington). I think it is calculated to put this House in a difficult position when a Minister of the Crown, and a Member of Her Majesty's Government, can venture, in a public meeting, to speak of hon. Members of this House, not only Irishmen, but Englishmen, and to denounce them to their country as English and Irish revolutionists. This House is, indeed, in a difficult position, when the noble Lord the Secretary of State for Foreign Affairs, with the connivance and the approval, or, at any rate, without that direct rebuke which, I submit, ought to have followed from his Colleagues, dares to speak of Members of this House—presumes to speak of Members of this House—has the insolence to speak of Members of this House—as Irish and English revolutionists. When a Member of Her Majesty's Government rises, and, with little veil and little concealment, asperses the Parliamentary character of hon. Members, they ought to begin their attempt at an indictment by first apologizing for the grossly un-Parliamentary conduct of their noble Colleague. We are not English and we are not Irish revolutionists; we are sincere Constitutionalists, seeking to gain and to maintain the respect of the peoples of these Kingdoms by the zealous performance of our duties, and by the careful consideration of a Bill which seems to be brought in in order to provoke Amendments.

Mr. SPEAKER: I must point out to the hon. Member that the Bill is not now before the House.

Mr. O'DONNELL: I did not intend, Sir, to convey the impression that I was referring to the Bill. I was only referring to the general conduct of the Government from day to day. "People who live in glass houses should not throw stones." It has already been repeatedly observed in this debate, not on these Benches, but on the front Opposition Benches, that the most objectionable practices attributed to us began with the sanction of Gentlemen now in power, and that the Leaders in these practices which are now called objectionable have been loaded with office and emolument. At the same time, Sir, in justice even to those who grant us such little justice, I would beg to observe that these practices, deemed so objectionable, date further back than the last Parliament. It will be within the knowledge of even superficial students of Constitutional history that Lord John Russell declared, in regard to his Reform Bill of 1860, that that Bill was choked and deprived of every chance of being carried through the House by the accumulation of Amendments piled upon it. In the debates relating to the first Reform Bill, a staunch Constitutionalist, Sir Charles Wetherall, after delaying the House by repeated Amendments, after sitting beyond midnight, and through the small hours of the morning, until those small hours began to get great ones—on the House rising, and it being discovered that rain was falling outside, audibly regretted that "he had not known it was raining, or he would have treated the House to a few more divisions." I would venture even to submit a small piece of advice to those hon. and right hon. Gentlemen who have so copiously advised us. The best way to prevent a difficulty in the despatch of Public Business is to occupy the House with Public Business worthy of the name. I can say, with absolute certainty, that no opposition will be offered to the discussion of substantial measures of real importance, really conducive to the public good. I utter these observations in support of the hon. Member for Meath; and I trust, in any further discussion, the question of your impartiality, Sir, and of your fairness, which was never doubted, will not be again brought in question, and trailed between the House and the real object in dispute. It seems to me improper of the right hon. Gentleman the Chancellor of the Exchequer to turn the House from the real question by panegyrics upon you, Sir, which you do not really require, and by disclaimers and repudiations of charges upon your motives which were never made. The question is the sort of report which you have chosen to take, and whether it might not be amended? This House is willing to place at your disposal every means which may be required for your full and complete information with regard to the proceedings of this House; and speaking for myself, and, I am sure, speaking for many of my Colleagues, it is not I or we who would regret a full and complete account of the proceedings of this House. Sir, if the number of times that hon. Members have risen to Order, and only in disorder—if the number of Notices which led to debates, and which the Chairman has declared to be without just cause—if these are reported, it is a pity that the report could not be completed by something like a representation of the numerous, but inarticulate, interruptions which often interfere with the free discussion of Public Business in this House.

DR. KENEALY: This, Sir, is a very great and grave question, and I regret very much that we have not had the opinions of a larger number of Constitutional lawyers than we have had; because if there be anything upon which this House, from its first foundation, has prided itself, it is upon securing the independence of Members in their Parliamentary position. It is the opinion of a great many here, whether rightly or wrongly founded I will not inquire, that the policy recently adopted, not only by hon. Members on the other side of the House, but also by the threats freely indulged in by newspapers which we know are in the pay and employment of the various Parties, are calculated in the highest degree to fetter the independence of Members. In the very article referred to by the hon. Member for Mayo (Mr. O'Connor Power), I find the leading journal describing Irish Members, who have rendered such valuable assistance in this House by their Amendments to the Army Discipline and Regulation Bill—who have cut out of it, in a great measure, one of the most objectionable features by which it is disfigured—designated by the insulting name of "filibusters." Now, Sir, that is intimidation; and I only wonder—indeed, I regret—that the Irish Members have not thought it fit to bring the editor of *The Times* to the Bar of the House, for using language so highly derogatory and insulting. Irish Members, Sir, and a great many English Members, think that this practice, recently adopted under your auspices and sanction, of having clandestine and nocturnal reports made of speeches delivered here by hon. Gentlemen, is calculated, I have no doubt, without your sanction, your design, or intention, to operate upon them as a species of terrorism in the discharge of their duty. Therefore, I think every Constitutional lawyer in the House, at all events, ought to express in some way his opinion as to the way in which this new mode of Parliamentary procedure should be met. I have listened with great attention to the arguments on both sides. I observed that whenever the Tories wish to establish or to introduce any new system of despotism, they can always rely upon the aid of the Whigs. Indeed, this is one of the greatest incentives to the Tories violating the Constitution, which they are not usually disposed to do, having much more regard in their political proceedings for the Constitution than the Whigs. I notice that they never evade the Constitution that they do not reckon upon Whig support. Accordingly, when they come forward to-day to support this step, which I humbly regard as an unconstitutional proceeding, they have every Whig precedent in its favour. No one was aware that under the Administration of Lord John Russell, in 1850, these secret documents which the right hon. Gentleman the Chancellor of the Exchequer to-day produces were first invented. I was extremely anxious, when the right hon. Gentleman produced that extremely suspicious pamphlet, that he should favour us with a specimen of its contents. I do not know what it contains. We are all left in blissful ignorance of that; but I am very glad that the debate has occurred, if for no other purpose than that it will let the public know that in the Whig Administration of 1850 there was first devised a system of espionage on the Members of this House. That system is perfectly dishonourable, in my judgment, and disgraceful to the Administration of that day, because nobody knows what particular light he figures in in that volume. The right hon. Gentleman has not favoured us with a specimen of the last thing the Whigs have invented. We are asked to-day to support what I cannot characterize in sufficiently strong language, but what I must protest against as a system calculated to interfere with hon. Members in the due discharge of their duties. We do not know the words written down. We cannot tell what comments may be made. We do not know what the reports are. We have no information, and we can have no knowledge of the spirit of the reporter. We cannot tell whether he takes down word for word, or whether he gives what he believes to be the substance of the speech. This reporting is calculated to excite a species of terrorism in the minds of hon. Members, for they know not what may be produced afterwards against them, if you, Sir, should be called again before a Committee to decide what should be the punishment for obstruction. When the Divorce Bill was first introduced, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) is reported to have said that he had the very strongest objection to its provisions, and that he was prepared to take a Division upon every clause, every section, nay, upon every line and word of the Bill. If that is not obstruction calculated to bring this House into contempt, I do not know what is. Irish Members have not gone so far as that, nor within 100 miles near it, and yet they are universally denounced by speakers and newspaper writers as though they were the greatest nuisances and the worst obstructionists ever known. In justice to those Members representing Irish constituencies, they ought to protest against this language being used to them. The Chancellor of the Exchequer has not advanced any argument against those introduced by the Proposer and Seconder. There is no doubt whatever that all precedent is against the employment of private reporters by anybody. The right hon. Gentleman the Member for Greenwich thought he had established a very great point, when he said that the circumstances differed very essentially from the circumstances of the time when the various precedents were laid down which were quoted by the hon. Member for Meath (Mr. Parnell). He said, in the days of the Tudors and the Stuarts, that it was necessary to prevent Members of the House from being intimidated, and that, therefore, the House was exceedingly jealous of its Privileges. I quite believe that; but there is another kind of tyranny, which may be just as powerfully exercised over Members of the House, in their Parliamentary character, as that of the Tudors and the Stuarts—and that is, the tyranny of an overwhelming majority, who may be led by their Leaders to do an act of quite as much injustice. When the word "terrorism" was used, it was very well used, for we have observed nothing but a threat of unknown punishments, which are held, like the sword of Damocles, over the heads of the Irish Members, for endeavouring to amend as bad a Bill as was ever presented to the House of Commons. I shall support the Motion, Sir, not from any want of respect for you, but because I think this is a dangerous course for us to enter upon, and because we are told by those who are best calculated to give an opinion that it is likely to operate as terrorism. When, therefore, the hon. Member for Meath goes to a Division, I shall be found in the same Lobby.

Mr. SULLIVAN: I am sorry that Her Majesty's Government have evaded the issue raised by the Resolution before the House. That proposes to condemn an act, the Amendment to praise a man. That is not the way in which so grave a Parliamentary issue ought to be met, if it is met at all, by Her Majesty's Government. The act proposed to be condemned is one which is to be dealt with according to the customs and usages of Parliament. If, upon that view, it can be defended, let it be defended; and if it is to be tried and condemned on such an issue, let it be condemned. What has this Motion to do with praising an individual? I feel, and I think many others do the same, that they are free to accept the Amendment, and yet to vote for the Resolution; and I say, candidly, that I should have voted for the Resolution in an infinitely stronger form than that in which it is before the House of Commons. It is a common and shallow line of argument to represent an opponent as making a personal attack, and then, if that charge is resented, to say he is hauling down his flag. To-day we have the snare set before our face; but surely this is undignified when our liberties are on their trial, to descend to mere flattery of the Speaker, who is listening to them in the Chair. I shall deal with all this in a sentence and pass it by, because I scorn to call it argument. There is none in this Resolution. I think I can speak for my Friends present, when I say that we impugn not your sense of justice, integrity, and impartiality, but an error of judgment by committing an act which is without precedent in the annals of this House, and is dangerous to the liberties of debate. Let us see exactly how Her Majesty's Government deal with it, and how the noble Lord the Member for the Radnor Boroughs, at their command, regards it. If they have searched the records for precedents, they have nothing to substantiate the position taken up by Her Majesty's Government, who were brought into Office very largely by the persistent policy of obstruction which certain of their Members pursued towards the late Government. Having rewarded those professional obstructors of Government measures with office and a seat on the Treasury Bench, they now come down and wince under the treatment which they themselves employed towards the Army Purchase Bill and the Irish Church Act. I concede to the right hon. Gentleman who, for what he has done, has been made Chief Secretary for Ireland, the right to do that which he has done. Indeed, I have never challenged it; but when he comes into Office a cry is raised by hon. Members because we offer resistance to the mischievous and obnoxious propositions of the Treasury Bench. I say that we are in our right in doing that which we believe to be vital to the interests of the country, and availing ourselves of those means which the wisdom of our ancestors provided for a minority fighting in defence of public liberty. This line of conduct which we follow has been recognized for years, and it must now be taken into consideration in connection with the threats of imprisonment or expulsion from this House, which we are told are now being considered, in order to silence the legitimate opposition of Members of this House. The fact that certain Members have spoken so many times is to be made a ground for an indictment. How is it to be substantiated? The public records ought to supply it. We pay thousands a-year to Mr. Hansard for a faithful record of our proceedings, and, surely, upon that record Her Majesty's Government might elect to proceed, or threaten to proceed, towards imprisonment or expulsion from this Assembly. But what is the course adopted to obtain evidence? If the mind is not free, the Member is not free, and his language is not independent. In such a state of things the Government have made five ineffectual attempts to grasp a Member of this House, with a view to punishing him. They have made a spring upon the indicated prey; but it has eluded their grasp, for the Treasury Bench was wrong, and he was right. Again and again the Minister has made a spring upon him, to punish and expel him, and once more he has found the President against him, and that it was a Minister who was in disorder, and that the victim was actually within Order. In this state of things, we find an official in that part of the House set apart for Members of the House as an official act, for that is the difference between him and the Clerk at the Table, making a secret and a surreptitious record of the proceedings of this House. Is it honest to threaten Members in this way? We cannot tell what the record is. There seems to be a sort of tally or score of the rising and sitting down of hon. Members. It is not a faithful short-hand report. What it is nobody can say, for it is taken without the previous knowledge and assent of this House. If you thought it right for the House of Commons to have a more perfect record than the Clerk at the Table takes, it would have been within your province to announce to the House what you thought desirable. Instead of that, we find this gentleman there taking these Notes. I say, if this had happened in the time of Pym or Hampden, someone would have been sent to the Tower to-day. I say that a man would have put himself in serious peril if, in the reign of either Charles or James, any Member of this House had stationed an official in the Gallery to spy on the proceedings and to get a secret and surreptitious record of them. Where is this record? We declare that it is without precedent. Now, Mr. Speaker, I warn the House of Commons that there is never a time when it is more necessary to be deliberate and calm than when you are about to step forward to inflict punishment upon any Member of the House. That is just the time when this House ought to be free from excitement, or anger, or irritation. Above all, if you are intending to menace with expulsion or penal consequences any Member of this House, you will deprive the act of all moral weight in the country, and of all real substantial force in the House, unless you take your proceedings towards him fairly, openly, and with notice to him of what you are going to do. You have no right to go secretly behind his back and make up a record against him. I warn you, Gentlemen—["Order, order!"]—I warn this House, Mr. Speaker, and I rejoice to find hon. Members are so careful of the rules of debate—I warn the House of Commons, Mr. Speaker, to remember that this Institution is destined to last for hundreds of years, as it has come down to us for centuries before, and let us not purchase, by a sacrifice of any of the liberties of this House, the momentary gratification of a triumph over a minority so small. You may strike down a few Members who are troublesome to the Government, not to the House; you may strike them down, you may fetter them, you may silence them; but please recollect, Mr. Speaker, that as long as they entrench themselves behind the precedents, usages, and customs of this House, they are in a position which you cannot assail without disaster to the country at large. Therefore, I say tonight, if this be, as we declare it to be, an act which cannot be fortified by reference to precedent; if it is an act which would have been resented in the days when the liberties of this House were fought for at peril to life and limb; it behoves us, for the sake of the future which comes after us, that this shall be no precedent, and shall meet with the prompt repudiation of the House of Commons. I hope the House will understand me. I desire to impeach, in the strongest language consonant with the highest personal respect for you, Sir, the correctness, in a Parliamentary sense, of the course of procedure which you have adopted. I desire to be understood as offering against that act my solemn and most vehement protest, believing, as I do, that it must be fatal in the end in establishing a precedent.

Mr. JUSTIN M'CARTHY: Mr. Speaker, I think the Chancellor of the Exchequer has placed some Members of the House in a considerable difficulty by the course he has taken. I agree with my hon. and learned Friend the Member for Louth (Mr. Sullivan) in thinking that he has not fairly met the practical question before the House. The Chancellor of the Exchequer proposes to get out of his difficulty by moving a Vote of Confidence in yourself. I have only to say, Sir, that I should join with the utmost sincerity in voting that confidence in you. Upon the other hand, we have before us a definite Resolution, a definite declaration; not referring to your general conduct, but to one precise act of which it is intended to complain. The Resolution proposed by my hon. Friend is, in plain words—that an act has been done without precedent, and that it is, therefore, open to objection. I, for one, feel morally coerced to give my vote in favour of that Resolution. At the same time, if the House will allow me to say so, I should be perfectly willing, and I should rejoice, to join with the Chancellor of the Exchequer in declaring my fullest confidence in the impartiality, the justice, and the honour of Mr. Speaker. The Chancellor of the Exchequer began his speech in a manner which seemed very like trifling with a great question. He began by a panegyric on Mr. Speaker, which we all must endorse. He then went on to say that Mr. Speaker had always been so just, and impartial, and kind to us, that, therefore, it was our business to support him on all conceivable occasions. It is not in that way, by an interchange of courtesy and kindness, that I feel bound to support the Speaker of the House of Commons. It is, of course, our duty to support him. It is a necessary condition of the Business of this House and of the discharge of all Public Business, that we should lend him our habitual and steady support. This, however, is merely a question of whether, in one single instance, a certain act done was or was not according to precedent, and is or is not open to objection? The Chancellor of the Exchequer, apparently, had not quite made up his mind as to the character of the act. I remember that Lord Palmerston, describing in one of his letters a certain debate in this House, in which several distinguished Gentlemen took part, gives great praise to some of them, but singles out one or two, and quietly observes that those hon. Gentlemen, having no clear idea in their minds, conveyed no clear idea to the House. It seems to me that the Chancellor of the Exchequer, on this occasion, had no clear idea of the purpose of the act of which we are complaining, and, therefore, has failed to convey any idea to the House. He spoke of it, over and over again, as if it were some new and happy device for having better records of the debates of this House. He said of some of my hon. Friends near me—"These are the gentlemen who asked for fuller reports, and yet they object to the publicity which would surely bring on them all the praise they desired." Why, Mr. Speaker, to have heard that argument, one would have supposed you had discovered some new and valuable method of publishing our debates, of trumpeting them to the end of the world—of placarding any great speech made in this House at Charing Cross. I will ask any hon. Member whether that is the nature of the proceedings taken, or whether this is merely a new way of keeping a clearer and more precise record of all the speeches delivered here? I would appeal to hon. Gentlemen opposite, and ask, whether the ringing cheers with which they greeted some part of the debate last night, the amount of emotion and even of passion which they displayed, were really called up by the discovery that some new plan had been invented for keeping a record of our debates? I need not appeal to them. I can appeal to a higher authority—yourself, Sir. You yourself, Sir, the other day, made a statement of the purposes of this new arrangement, very different from that in which the Chancellor of the Exchequer tried to make us believe he really believed. In your explanation, you distinctly stated that this new device had reference to certain difficulties raised to the passing of a particular measure in the House of Commons. Yet, to have heard the Chancellor of the Exchequer, one would suppose that Mr. Speaker had nothing better to do in his leisure than to fill his mind with records, carefully prepared, of all the speeches made on the Army Discipline and Regulation Bill, and to read them for his own personal edification. You, Mr. Speaker, have distinctly explained that, and have put aside any attempt to put an erroneous delusive colour on the action itself. This is, then, distinctly some new practice to be adopted with reference to an alleged new procedure in the House of Commons. The thing itself is new; it is without example or precedent, and it has direct reference to some measure to be introduced for the purpose of making a change in the Business arrangements of the House of Commons. Is it wonderful that hon. Members take alarm at the way in which it was introduced? It may be that the House may be pleased to alter the arrangement of its Business. We have heard a great deal of talk about obstruction. We hear so much talk, indeed, of it, that the very denunciation of obstruction becomes an instrument and an agent of obstruction. Almost as much time is taken up in denouncing it as is spent in promoting it—if anybody is really purposely carrying it on. I am not going to discuss that question. I am content to know that I have never taken any part in it, and really do not believe that there is any Member in this House who is influenced by a mere desire to obstruct its Business, or who would wish to postpone any particular Motion without a definite and legitimate purpose. Let it be observed, also, that this obstruction is not quite so new an act as hon. Members suppose. I do not think I can quite agree with my hon. and learned Friend the Member for Louth (Mr. Sullivan) in awarding the merit of that invention to the right hon. Gentleman the Chief Secretary for Ireland. Long before he had the chance of gladdening the debates of this House obstruction was a constantly employed and constantly denounced weapon of warfare. The hon. Member for Dungarvan (Mr. O'Donnell) spoke of the Reform Bill introduced by Lord John Russell in 1860. That was, indeed, admittedly crowded out by the mass of Amendments poured in, not from the Opposition for the most part, but from the luke-warm Liberals behind the Ministerial Benches. But there was then another form of obstruction, which, I am happy to say, we have not seen in recent times—corporal or physical obstruction. I remember perfectly well, on one occasion, that an attempt was organized to count the House in the middle of that debate, and that a great number of energetic Conservative Gentlemen went outside, and endeavoured, by sheer force and personal strength, to keep Liberal Members from getting back to their places. An hon. Gentleman, whom I do not now see in his place, a well-known Member of the Conservative

Party who sits below the Gangway, had then the distinction of being complained of to your Predecessor, by an hon. Gentleman now a Judge in this land, who declared that he interposed his considerable bulk between him and the door, and so prevented him from coming in. That is only one species of the obstruction which has always been a more or less recognized, and much complained of, weapon in Parliamentary warfare. Those who wish to push a Bill through naturally complain of those who obstruct it; and those who object to a measure are only too happy to use some obstruction themselves, or encourage others to adopt it. I remember that in this House, some years ago, an hon. Gentleman, who is now the Governor of a Colony, used to divide the House again and again, with a small band of four or five Members, until, indeed, the sun shone in on these windows, in order to defeat a measure to which he was opposed, and he was an honoured Member of the Conservative Party. It may be that a proposal will be made for restricting in some way the liberty of debate and the rights of minorities; but I trust that no such attempt ever will be made, and that if made that there will be sufficient public spirit in the House to resist any such change in our legislation. If it ever is to be attempted, if that most serious change—more serious than any yet introduced in our time—should ever be sought for, it ought to be done fairly, openly, and deliberately, and every proceeding or act, however small, that leads up to it should be done with the full knowledge of the House, and in the full light of open day, that not only the House but the public at large may know the importance of it. Let me venture on one illustration of the danger of overbearing a small minority, taken from the history of another country, and on the statement of a great man who died some two years ago—M. Thiers. He has left on record that if the French Chamber could but have had 48 hours' more debate, 48 hours' more of speech-making and discussion, the unhappy war with Prussia would never have been commenced. He declared, as a mere statement of fact, that the explanations extorted from the Government would have so opened the eyes of the people, and so changed the condition of affairs, that no Ministers would have dared to venture upon a war in the face of such admissions; but the small minority were crushed by the Parliamentary system existing in that country, and at a certain time the triumphant majority overbore them. Well, for a time, they had their triumph; but that triumph brought France to temporary ruin. I do not think any such terrible emergency will arise in our time, or in any time, in this country; but in making our arrangements as to the Business of this House, we must not make them merely and solely in preparation for the life we are accustomed to, but they must be adapted to stand the strain of a great difficulty to bear the burden of some sudden national crisis. At all events, it is certain that such a change will call for serious and solemn debate, and that nothing can be more dangerous than to have any proceedings leading up to it suddenly sprung upon the House as a mere surprise. Therefore, I cannot help thinking that the House has some reason to complain of this act, however insignificant or unimportant in itself, which has been lately done. I do not wonder that certain Members in especial have taken it up with a greater sense of alarm than the House in general. Some hon. Gentlemen do not trouble themselves much about the future, and are not even deeply concerned in the actual measures now going on. I think it is rather unfortunate that that phrase—the Business of the House—should be so often used as to lead Members away from a true sense of their public duty. The Business of the House is not to push legislation through at express speed, but to have Bills carefully and steadily prepared and made perfect; and if, in the course of that work, there is more delay than the patience of hon. Members can sometimes bear, I would ask them, fairly, is it not better to put up with that than to imperil the rights of however small a minority in the House? The great pride and characteristic of the English Parliament has been that no overbearing majority can silence the minority, and this I trust will always be its chief distinction and its glory. But if there is a change to be made, it must be made solemnly and seriously, and must not be in the nature of a surprise. I believe that this act is without precedent, and is part of the intention of some of Her Majesty's Ministers to go on to further legislation trenching on the liberties of the minority and on the rights of free speech. I, therefore, feel morally compelled to support the Resolution; although I should, at the same time, feel the greatest readiness in expressing the fullest and most complete confidence in the justice and fairness of Mr. Speaker.

MR. HOPWOOD: Sir, I always show the greatest respect for all I have ever heard you say; but feelings of even affectionate regard for you should not guide us in this matter. I do wish there was an intermediate course by which we could bear our unfeigned testimony to your conduct in that Chair and in every relation of life, and yet say that we think that the course you have recently adopted should not be continued. ["Divide, divide!"] I must say that I hope the convictions of hon. Gentlemen will not lead them to interfere with the convictions of other hon. Gentlemen. This is so painful a ground that we now take that we are not likely to have done it lightly, and we do not desire to be longer about it than is absolutely necessary. The affirmation we make is that this course is without precedent, and that if it is without precedent it is dangerous to the Privileges of the House. I think nobody can contend that it is not new in principle, and if it be out of our power to ascertain or control it before it is done, it is dangerous and subversive of our Privileges. I go that length, although my hon. Friend the Member for Meath (Mr. Parnell) may have withdrawn those words. I regret extremely that the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) should have turned that taunt upon us with all the power of language with which he always appeals to his hearers. For the first time in my political life the sound of his voice brought no pleasure to me, because I thought he was perpetrating an unfairness which was below the level of his very high position and talents. Not one of the hon. Gentlemen who have advocated the Amendment seemed to me to state anything worthy of notice as an argument. On the right and on the left the advocacy is based upon what I must say is not quite candid—on a pretence, forsooth, that this was a means resorted to to secure a fuller account of our debates and proceedings. You, Sir, never put it on that ground. Everyone knows you are incapable of anything like equivocation, and you have put it upon this ground—that you want these facts for your own information and for the service of the House, a motive we all recognize; but is it so defined in the plea now put forward? They admit it is without precedent, and then, forsooth, when we refer to the precedents and the language held in former days, they tell us, in nearly so many words, that these are musty precedents, and are not at all to guide and direct our relations. Musty precedents, indeed, is the language. Is the language of your noble Predecessor who said—"I have no eyes to see, and no ears to hear, anything the House does not allow me to see and to hear"—do they mean to say that that is a musty precedent? If it is one at all, it proves our case. We maintain that the Speaker has no power of originating anything. Is that an origination? Who can doubt it? Can the same power place a detective in that Gallery to watch the movements of particular Members of Parliament? In what does that differ? You appoint a Clerk. What is he to watch? You are informed; and when we inquire who has done this thing, then we are told it is by the order and direction of the Speaker. Then the right hon. Gentleman opposite actually defends it on such a ground as this—that Mr. Speaker is, forsooth, a Member of every Committee, and may be present if he likes and take a note of everything that goes on. Who denies that? Why condescend to such an ordinary truism, such a Parliamentary truism? How does it advance the discussion? All this proves to me that the right hon. Gentlemen on both sides feel that there is a difficulty in straightforwardly defending what has been done. I wish, Sir, you had risen in your place and said—"I find what I have ordered has given occasion for some remark, and I have consequently directed its discontinuance." I believe that would have satisfied the whole of the House, and that many who will vote for the Amendment would have been glad to have been saved the necessity. I should have been glad to be spared the necessity of making any remark. Every Member must speak for himself; but I think that as no one has said, no one can say, that it is a wise act on the part of the Chief of the House to place somebody to take a note of what its Members do, and that for an avowed purpose, and in connection with a notorious assumption that some hon. Members of the House are supposed to have practised obstruction in the discussion of a most faulty Bill. Does it not imperil Mr. Speaker's position as the man we are all under, who is set above us to decide in calm impartiality between us, of every Party or section of a Party, and on whom the obscurest Home Ruler or the humblest individual ought to be able to rely for fairness? Oh! Mr. Speaker, it does seem to me that this proceeding is a dangerous one for which I am sorry, for which I think by this time you are sorry, and I am sure the inmost conscience and heart of the House cannot and will not support it.

Sir GEORGE BOWYER: I have abstained from taking any part in these painful proceedings, because I cannot concur with the views of hon. Members opposite with whom I act sometimes. [An hon. Member: Sometimes!] I act with them when I think they are right; and I abstain from acting with them when I think they are wrong. I think on the present occasion they have made a false step, which will be injurious to the influence of the Irish Members in this House. I maintain that the whole of our Parliamentary procedure depends upon the respect paid to Mr. Speaker, and if that is in any way diminished or impaired, it may be fatal to Parliamentary government in this country. Anybody who has read history, or attended to precedent, will see there are a very few cases in which a Resolution has been moved, aimed at Mr. Speaker, and it has only been done under the gravest circumstances. Mr. Speaker is much more than the servant of this House. He is the President of this illustrious Senate. Sir Erskine May, whom everyone acknowledges as an authority, very well sums up this matter when he says—"He is the representative of the House itself, its powers, its proceedings, and its dignities." What is the occasion on which this Resolution has been moved? What has occurred? Hon. Members opposite had some grounds to be suspicious. They found there was a person taking Notes, of whose authority to do so they knew nothing. They had a right to make inquiries, and I do not find fault with them for bringing the matter before the House. But when, Sir, you told the House that this was done by your direction and for your own use, so that you might be better able to perform your duties, the matter ought to have terminated at once. Instead of that, it was carried on; an attempt was made to move a Vote of Censure in a hasty manner, and then a Resolution is brought forward, bringing the gravest charges against Mr. Speaker—charges so grave and so unfounded that the hon. Member for Meath (Mr. Parnell) was obliged to give up part of them. He maintains that what he complains of is unprecedented. Now, no one has a greater respect than I have for precedents; but it is one thing to be without precedents, and quite another thing to be acting against precedents. You may require a new precedent, and because a certain thing has not occurred before that is no reason why it should not occur. If this is unprecedented, it is not, therefore, contrary to precedent. But, from the speeches of hon. Members, it might be supposed that the Star Chamber was to be revived and Notes were to be taken down secretly and brought before the House. But what are the real facts of the case? In the Press Gallery we have Reporters who give full reports of what is going on to everybody who chooses to read them. Then an officer took down the hour at which Members rose and sat down. Was not that already sent from the Cloak Room to all the Clubs in London? I shall vote for the Amendment, because a charge is never brought against Mr. Speaker except for a great breach of Privilege, and because we ought to show on the Books of the House that we had the fullest confidence in the impartiality of Mr. Speaker.

Mr. E. JENKINS: As I propose to support the Amendment, perhaps the House will forgive me, if I state the reasons which have led me to that conclusion. I am, naturally, very sorry to differ with many of those with whom I am very often in association; but I cannot help feeling in regard to the speech of the hon. Member for Liskeard (Mr. Courtney) that the plea he has put forward, powerful as it is, and calculated to influence—and I know that it has influenced the judgment of many hon. Members on this side—that it really does set aside that which is at the bottom of all these proceedings. He took exception to the fact that the noble Lord (the Marquess of Hartington) had asked the House to take into consideration the circumstances in which the Business of the House was placed. My hon. Friend was, I think, hardly fair in stating that the noble Lord used that as an argument. It is not true that the noble Lord had pointed to that as an argument; but he did allude to it, as a matter which this House was bound to take into consideration in forming a judgment upon the action taken by Mr. Speaker. I feel that it is the duty of everyone, and especially of those who were most Liberal, most Radical, and most in love with Parliamentary government, to take this opportunity of protesting in the most solemn form against the disgrace which is being brought upon Parliamentary government by the proceedings to which the noble Lord has alluded.

Mr. CALLAN: I rise to Order. The hon. Member for Dundee (Mr. E. Jenkins) refers to disgrace being brought on this House by hon. Members. ["Order, order!"] He stated that disgrace was being brought upon this House by the proceedings of certain Members. I have to ask you, Sir, is it in Order for any Member to make such an assertion?

Mr. SPEAKER: The hon. Member for Dundee (Mr. E. Jenkins) is in possession of the House, and I see no reason to interpose. It will be open to the hon. Member for Dundalk (Mr. Callan) to make any observation he may think proper in commenting upon his remarks.

Mr. E. JENKINS: No doubt, one will be subject to these interruptions; but they will not deter me from saying what I feel it to be my duty to say. It is a matter which this House is bound to take into consideration in forming its judgment in relation to the action of Mr. Speaker. It must consider the state to which this House is brought partly by the action of certain Members—[Mr. Parnell: Including the hon. Member for Dundee.]—and partly by the weakness of its Ministers. Surely, of all the hon. Members who ought not to interrupt me in the observations I am making, it is the hon. Member for Meath (Mr. Parnell). If the slightest sound is ever emitted from the opposite Benches when he is speaking, he immediately addresses those Benches in a tone of deprecation of such interference with the liberty of Parliament. Yet, when I happen to disagree with him upon one point, I find myself immediately interrupted. But, to come back to the point before the House, I wish to ask the House to consider really, after all, if this is a question to be governed entirely by precedent? I am bound to say—and I am sure, Sir, it will not be misunderstood by you or any Member of this House—that when this matter was first brought to the attention of the House, and when I heard that a certain gentleman was sitting in the Gallery of the House taking these Notes, that the first impression upon my mind was a disagreeable one, and that I felt anything but sure that there might not be some ground for the objection taken to it. No sooner, however, was your explanation given—and it was a perfectly satisfactory explanation—than I felt that the object which Mr. Speaker had in view was not a mere espionage of this or that group of Members, but simply to afford himself the opportunity of giving that evidence which it is indubitable will have to be given before dealing with the manner in which our Rules and precedents are to be improved. It seems to me we are not bound to go back to precedent to defend Mr. Speaker in the exercise of his private judgment. For the purpose of enabling him to form an opinion, he sets a clerk to perform a duty, which is not, by any means, a duty of an unpleasant character—a duty which is simply statistical. [*A laugh.*] Hon. Members laugh, because they choose to impute motives to Mr. Speaker. ["No, no!"] If they do not impute motives, what is the meaning of all these proceedings? I say this thing is a mere statistical registration, which is serving Mr. Speaker fairly to initiate a proceeding of another character without any *arrière pensée*. I defend it, Sir, upon the ground which you have stated, and that is simply that you require this for the information of your own mind and for the purpose of forming a judgment with relation to any change which may be suggested. [Mr. Sullivan: Against whom?] I say Mr. Speaker is justified by the proceedings which have taken place in this House, even supposing that he had an ulterior motive in taking the action that he did. Therefore, I do not see my way to support the proposition, especially in view of the fact that the Speaker is only the embodiment of the authority, but also of the dignity of this House, and that we have repeatedly seen how often it is placed in peril by the hon. Members who are bringing forward this Motion.

MR. HUSSEY VIVIAN: Sir, I rise to make a few observations upon one point especially dwelt upon by the hon. and learned Member for Louth (Mr. Sullivan), and by the hon. and learned Member for Stockport (Mr. Hopwood). Those hon. and learned Gentlemen spoke of the protection which the Forms of the House afforded to a minority; and I think the hon. and learned Member for Louth particularly said "that they were designed in order to prevent a majority crushing a small minority." Now, I suppose, that if there is one thing more dear than another to Englishmen it is the principle of being bound by the decision of the majority; but it is perfectly well known, also, to be an essential principle of our Rules and Regulations that the same question should not be debated twice. If that means anything, it is that the decision of the House having been once taken upon a question, it should not be reverted to and brought forward again. You cannot have a more decisive affirmation of the absolute decision of a majority ruling questions which we bring forward in this House. I desire also to offer a few remarks upon the point which has been brought forward by hon. Members that obstruction was constantly resorted to in former days in this House. After a Parliamentary experience of 27 years, I can say, without hesitation, that I have never known obstruction organized in such a manner to prevent the passage of measures until during the last Parliament, when those hon. Gentlemen who have been alluded to took a certain course with regard to measures introduced by the last Government. I fully remember the very great fear which I entertained concerning the future Business of the House. I said, again and again, that we were straining the Forms of the House in a dangerous manner, and that it could not otherwise result than in very serious consequences to the authority of the House of Commons. The very unfortunate course taken at the period referred to has been persisted in by hon. Members, and exaggerated very largely during the present Parliament. We have a great duty to perform to our country, and we are sent here to legislate for our country's good, and it is not to be supposed that we can so far forget that duty as to permit it to be interfered with by the obstruction offered to the progress of the Business of the House. Therefore, I do not hesitate to warn hon. Gentlemen that it will be absolutely necessary for the great body of the Members of this House carefully to consider in what manner they will prevent the continuance of this distinct and organized obstruction to the performance of their functions and the Business of the country. The delay of measures has now become a science; and hon. Members in adopting that course keep within the Forms of the House of which they have a perfect knowledge; but they, nevertheless, prevent the carrying on of the Business of the country. We have a large number of Orders on the Book, and yet the consideration of one particular measure introduced by the Government has so taken up the time of Parliament that those charged with the responsibilities of Office have found it quite impossible to get through their Business. Such a state of things cannot be allowed to continue. For my own part, I should certainly not wish to see the Forms of the House altered; but some remedy must be found, although the form which it will take must be a matter for grave consideration. The hon. and learned Member for Louth (Mr. Sullivan) has stated that you, Sir, had "secretly and surreptitiously" placed a stranger in the Gallery to report our proceedings. But that gentleman could be seen from any part of the House, and, surely, it was open to anyone to observe that Notes were being taken. Therefore, I cannot think for an instant that the words "secretly and surreptitiously" can be applied to that proceeding. Sir, I can only say that, charged as you are with the difficult function of presiding over the Business of the House, you are, in my opinion, perfectly justified in the course which you have taken, inasmuch as the Rules and precedents of Parliament are established as they become from time to time necessary.

MR. MITCHELL HENRY: Sir, I think this is one of those occasions upon which we may regret that some of the forms of Parliamentary procedure in foreign countries are not in existence here. It seems to me that this is eminently an occasion upon which—in France, for instance—a Motion would be made, that the explanation of Mr. Speaker having been received the House should pass to the Business of the day. The only Motion analogous to that which we have is that of moving the Previous Question; and I imagine that if I, or, as I should greatly prefer, some old, experienced, and highly-valued Member of this House, were to make that Motion, the House of Commons, as well as the country, would be spared a very unpleasant issue. With the permission of the House, I will state my reason for considering the issue to be of that character. It is impossible, I think, to treat this matter as a light one, or to put it upon the ground that something has been done by your authority which is a matter of every-day proceeding. We have heard from the Chancellor of the Exchequer what, to the majority of hon. Members, has been a revelation, that for many years past a record of the number and duration of the speeches of hon. Members has been kept by the Clerk at the Table, and that such record has been kept for statistical and useful purposes. Now, for my own part, I should like to know something of the history of that record; when it was commenced; at whose instigation it was commenced; whether it has been regularly kept since that time; the number of volumes, who has access to them, and what they contain? But if we accept the explanation which has been given—and I, for one, am far from offering any opposition to it—that record must contain everything which can be desired by Mr. Speaker or by the House. But with what object was that procedure changed? I have no hesitation in avowing my belief that the object was to obtain a record of the proceedings of Members of this House, to be used for penal purposes hereafter. But if it was necessary to have more accurate records than those hitherto kept, why was not the House informed of this necessity? My whole nature revolts at the idea of anything like espionage being introduced into the House of Commons. I feel myself unable to control my emotions when I think that something is being done behind the backs of hon. Members, for the purpose of accomplishing an object which may be either good or bad, but of which we know nothing. Sir, it is not a favourable feature of the closing years of this Parliament that hon. Members should be willing to resort to so un-English a proceeding for the purpose of putting down obstruction caused by the action or language of a small minority of this House. I myself, both in the House and at the expense of some popularity out of it, have expressed my extreme disapprobation at anything in the nature of organized obstruction. I have never taken part in such obstruction, and I have expressed, both through the Press and by word of mouth, my opinion that whenever organized obstruction is practised it must lead to the *clôture* which is carried on in foreign Assemblies. I am not sure that the plan of silencing hon. Members might not even now be proposed, and that it was not actually proposed by Mr. Bernal Osborne; but if it be necessary to silence hon. Members, surely it is for the Leader of the House to come forward and make the Motion, and allow hon. Members to deal with it. But to put upon hon. Members something in the shape of pressure, through the Speaker of the House, appears to me to be a course unworthy of the House of Commons. Hon. Members on the opposite side of the House would not, perhaps, feel this pressure, because they are Members of a large majority; but it would tell very much against those who are Members of a weak and insignificant minority. Sir, I feel it would be extremely unbecoming in me, as I think it has been unbecoming on the part of several hon. Members, to indulge in panegyrics upon the conduct of the Chair. I have been brought up with the idea that Mr. Speaker was the Representative of the majesty of the Commons of England, and thus it would no more occur to me to dispute his authority, or to question his impartiality, than it would occur to me to question the authority of the Sovereign. For that reason, the Amendment of the Chancellor of the Exchequer appears to me particularly objectionable, inasmuch as it would make it appear to be desirable that the House should express an opinion upon the impartiality of Mr. Speaker. Sir, I think this is a matter which ought to pass without question, as I am certain it would pass without question in any Assembly brought together in any part of Her Majesty's Dominions. I think it would be desirable, in the interest of the dignity of the House, and looking to the view which in future may be taken of the record of our proceedings, that this Motion should not be divided upon. Has it come to this—that the House of Commons is about to affirm, on the Motion of the Chancellor of the Exchequer, that it is desirable that confidential information as to the proceedings of Members should be conveyed to Mr. Speaker when he is out of the Chair? I cannot think that our forefathers would have suffered that course. If a Division is taken, whilst I shall vote, as I cannot help voting, in favour of the truism that the course which has been taken is unprecedented, I shall, at the same time, regret that I am prevented doing that which I desire to do—namely, to affirm my complete confidence in the impartiality and honour of Mr. Speaker; for it will be impossible for me to assent to the Motion of the Chancellor of the Exchequer, which declares that it is desirable that confidential information as to the conduct of Members of the House should be conveyed to the Speaker when he is absent from the Chair. I desire to call the attention of the House to another aspect of this question. If it be necessary to have more accurate information as to what takes place in this House, what is the reason that the House of Commons has so persistently refused to organize a system for reporting our proceedings? While we refuse to have the recognized system of reporting which exists in almost every Legislative Assembly in the world, with what consistency can we vote that it is desirable, or to be tolerated, that an official of the House shall be put into the Gallery to take notes of what is said by hon. Members? But I say that it is not proved that we have not during this very Session organized the proper means to obtain information as to what takes place in Committee. The House will recollect that, in consequence of several Motions which were brought forward at various times with reference to a Report of the proceedings of the House, a Committee was appointed to inquire into the subject, and sat for a very considerable length of time. The House will also recollect that if the newspaper reports of the speeches of hon. Members in debate were defective, and not given at the desired length, it was found that what was said and done in Committee was still more defectively reported, and that, therefore, Mr. Speaker was authorized to enter into arrangements with Mr. Hansard for reporting the proceedings in Committee. Now, I have referred to the report furnished by Mr. Hansard of our proceedings in Committee upon occasions when I have been present, and am able to say that anything more accurate, or more full, cannot possibly be conceived. Those reports are perfectly full and accurate, and, therefore, if it be desired to know how often hon. Members speak, it can be ascertained from the authorized version of our proceedings published by Mr. Hansard; and if it be desired to know what an hon. Member has said, his words will be found accurately recorded in that publication. But if this question of how long and how often hon. Members speak is to be debated in this House, how far back are we to go? Is our inquiry to be confined to the proceedings on the Bill now before the House for the better regulation of the Army? or shall we go back many Sessions, and ask how often the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) spoke in Committee on the Divorce Bill, and inquire how often right hon. Gentlemen opposite spoke on the Ballot Bill? Let me ask the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) whether there was, or was not, an organized system of obstruction to the progress of the latter measure, which was placed in his charge? Was there any less persistent opposition to its progress through the House in any one of its stages than there has been to the passage of other measures? Take, again, the question of Abolition of Purchase in the Army, and let hon. Members examine their consciences, and say whether they did not do everything in their power to obstruct the Business of the House—for that is the phrase now in use—upon that occasion? The difference between the proceedings of my hon. Friends and the proceedings of hon. and right hon. Gentlemen opposite at that time is that they did not understand their business so well as my hon. Friends understand their business. But if the latter are to be charged with this vice of obstruction, they certainly have the right to refer to the record of the good which they have done. I repeat that, so far from approving of obstruction, I deeply disapprove of it in any form which has not the definite and distinct object of preventing the passage of a measure supposed to be bad, or of promoting the progress of measures supposed to be good. What would have been the condition of prisoners in this country if there had not been persistency on the part of my hon. Friends here in amending the Prisons Bill? I have not the smallest hesitation in saying that certainly one-half, and probably two-thirds, of the Amendments of my hon. Friends to that measure were carried in this House; and I can go further, and say that every one of those Amendments which went to the protection of the liberty of the subject was carried by the persistency of my hon. Friends. Again, to whom is the country indebted for the abolition of the old Mutiny Bill, and the consequent introduction of a mitigated measure by the Government, if it be not entirely to that small minority of hon. Members whom you wish to crush? Further, the Army Discipline and Regulation Bill, which it is expected should pass through Parliament without inquiry, has been met by certain Amendments on the part of my hon. Friends characterized as obstructive. But what is the position of this matter? Why, my hon. Friends have carried very nearly one-half of their Amendments, and every one of those has been approved by universal consensus outside this House. Is it for these services rendered to the country that you are now to introduce, for the first time into the House of Commons, a penal record of what my hon. Friends have done? What, I ask, is the object of this record? Is it so to deal with those hon. Members that the fire may be taken out of their speeches, in order that the legislation of the country may proceed without criticism? Sir, I should rejoice if this were Wednesday, instead of Friday; because, in that case, it is quite possible that some hon. and learned Gentlemen opposite would not be able to compress their observations within such a compass as would, by the Forms, allow us to come to any actual conclusion upon the matter before the House. But, as it is, I regret that we shall be called upon to divide upon this Resolution. For my part, I shall vote with the hon. Member for Meath (Mr. Parnell), for, whether I think his proceedings wise or not, I shall never, as long as I sit in this House, desert his principles. On the other hand, much as I should like to testify the deep and profound respect which I feel for the right hon. Gentleman in the Chair, I cannot join the Government in expressing its satisfaction that confidential information has been acquired by means of an organization of officers of this House as to the conduct of hon. Members entitled to address the House of Parliament.

MR. CALLAN: Sir, I do not agree with the wish expressed by the hon. Member for Galway (Mr. Mitchell Henry), that this was Wednesday instead of Friday. I wish to go at once to a Division, but desire to express my regret at the manner in which this question was put upon the Paper of the House. I must say, Sir, that it would have been an act of common fairness and courtesy to you, had due Notice been given before the subject was brought forward. I must also express my regret at the manner in which it has been meet by the Chancellor of the Exchequer. He has not met it as he should have done by a direct negative, but in a manner quite fallacious and evasive, and one which is, besides, in direct conflict with the announcement made from the Chair. The Chancellor of the Exchequer has put in his Amendment that these reports are confidential in their character; whereas you, Sir, stated that you were ready to lay them upon the Table of the House, if hon. Members thought it necessary to move for them as a Return. But the Chancellor of the Exchequer and the right hon. Gentleman the Member for Greenwich have come forward and said that this is no new course of procedure, but that these Minutes have been taken for a period of 29 years. The Chancellor of the Exchequer stated that exact Notes were taken since the year 1850 of the times of rising and sitting down of hon. Members. I have in my hand the Book referred to by the Chancellor of the Exchequer, which I trust, for the honour of the House, he had not read when he made that statement.

The first entry in which my name occurs relates to—

> "The Peace Preservation Bill, Ireland; second reading; Mr. George Moore moved an Amendment, Mr. Callan seconded it."

No hour is here given. This is the first error; and I now turn to the year 1873, when we had a Turnpike Trusts Bill before the House, and amongst those who divided on that occasion I find the Members of the present Government. That was a case of real obstruction. I find the first Teller was the hon. and gallant Baronet the Member for West Sussex (Sir Walter B. Barttelot). The Teller in the next obstructive Motion was the right hon. Gentleman the Chief Secretary for Ireland (Mr. J. Lowther); and, again, on the next obstructive Motion, the Teller was the noble Lord the President of the Board of Trade (Viscount Sandon). The Teller in the next Motion against this Turnpike Bill, which was in Committee over six hours, was the Whip of the Conservative Government; and then, as fourth Teller, came the hon. Gentleman who represents the India Office in this House (Mr. E. Stanhope). There is no entry whatever on that occasion of any speech of mine. I turn now to the year 1877, when the House sat for 26 hours on the South Africa Bill, and there is no entry of any speech made upon that Bill. How can we, then, but characterize the statement of the Chancellor of the Exchequer, holding this Book in his hand, as inaccurate, and as a flimsy pretext, misleading to the House? It will be in the memory of the House that, last Monday, I questioned the Chancellor of the Exchequer upon this subject, and in his answer he declined all knowledge of these proceedings, referring me to you, Sir. You gave no answer, and, in consequence, I believed then, and continued to do so until you disavowed it, that you were wholly unconnected with the matter in dispute, and that the Notes had been taken by some unauthorized person.

Question put.

The House *divided*:—Ayes 29; Noes 421: Majority 392.—(Div. List No. 159.)

MR. SPEAKER: According to the Orders of the House, this Sitting is suspended until Nine o'clock, when this debate will be resumed.

And it being Seven of the clock, further Proceeding stood adjourned till *this day*, and the House suspended its Sitting.

The House resumed its Sitting at Nine of the clock.

MOTION.

PARLIAMENT—PRIVILEGE—PROCEEDINGS OF THE HOUSE—NOTE-TAKING IN THE MEMBERS' SIDE-GALLERY.

RESOLUTION.

PROCEEDING OF THE HOUSE further *resumed.*

Question proposed,

> "That the words 'Notice having been taken, while the House was in Committee, of the presence in one of the side Galleries of a gentleman engaged in taking notes of the proceedings of the Committee; and Mr. Speaker having informed the House that the gentleman was an officer of the House, and was so employed under his direction, and that the notes taken by him were for the confidential information of the Speaker, this House is of opinion that Mr. Speaker was justified in the directions given by him, and is entitled to the support and confidence of this House,' be added, instead thereof."

MR. GRAY: I beg to propose as an Amendment to the said proposed Amendment to leave out all the words after "this House," in line 7, in order to insert the words—

> "Declares that the practice of this House prescribes that the Clerk Assistant do not take any notes here without the precedent directions and commands of the House, but only of the Orders and Reports made in the House, and that the entry of the Clerk of particular men's speeches was without warrant at all times."

After the Division, Sir, which was taken in the early part of the day, I should not have thought it desirable to test the opinion of this House upon this question any further, but that I do not think the issue raised by the Amendment of the right hon. Gentleman the Chancellor of the Exchequer, and by the original Motion now negatived, puts the question before the House in distinct and unmistakable terms. Instead of drafting a Resolution in my own terms, I have taken the words from previous solemn declarations of the House, which hon. Members opposite will, therefore, either have in terms to negative, or in terms to endorse. I find, Sir, from reference to *Hatsell's Precedents*, that on the 17th of April, 1628, one of those musty precedents, which hon. Gentlemen opposite will now have to destroy—

> "That the entry of the Clerk of particular Members' speeches was without warrant at all times."

Now, that is a declaration of the House, which, of course, in the opinion of the right hon. Gentleman the Member for Greenwich, and the noble Lord the Member for the Radnor Boroughs, and of other hon. Gentlemen, has probably become musty. Therefore, the sooner it is removed from our precedents the better the noble Lord and other hon. Gentlemen will be pleased. The Amendment I propose will enable them distinctly to destroy this musty precedent. I find that *Hatsell* also declares in terms—

> "That the Clerk ought to take notes of nothing but Orders and Reports of the House."

This, also, is a precedent, which the sooner it is destroyed the easier we shall get on with our new mode of conducting Business. On the 25th of April, 1640, it was—I think this has been quoted before, and it is the last time it will be quoted in this House, because it is to be destroyed—that our Predecessors solemnly ruled—

> "That their Clerk Assistant do not take any notes here without the precedent directions and commands of this House, but only Reports or Orders made in the House."

Now, we have introduced new precedents from to-day, and I am desirous that hon. Members shall in terms, by their votes, destroy this precedent. This is—in 1640—of course, a very old and musty precedent. No doubt, this matter is a very serious one, and it is no good cloaking from ourselves that the proposition to which I invite the House is, more or less, in the nature of a censure on the Chair. I very deeply regret to have to vote censure upon the Chair, or to propose an Amendment which means the same thing. However, I do feel very decidedly, with all respect to yourself, Sir, and the position which you occupy that on this occasion you have exceeded the powers which you up to yesterday possessed, though, probably, if you acted in the same manner this evening, you would not exceed your powers, after the vote of to-day. I find, on the 9th April, 1620, another musty precedent, which we will clear away—

> "That the Speaker is but the servant of the House, and not the master nor the master's mate, and ought to respect the meanest Member as well as those about the Chair."

The respect of every Member also probably means that every Member will respect the Chair. ["Hear, hear!"] Well, for myself, I yield to none of the hon. Members who call "Hear, hear!" in respect to the Chair, and I yield to none of them in respect for the precedents of this House. But I do not believe it is properly within the function of the Chair to destroy this precedent without the authority of the House; and that is the reason why, very briefly, I shall ask the House, by negativing my Resolution, to destroy these musty old precedents. Now, Sir, several speakers to-day suggested that the action of which complaint has been made was merely one for which no precedent could be found against it, but that it was not against precedent. I really think the quotations which I have read from the Journals of the House prove distinctly that it was a distinct violation of precedents; that it was, in terms, a violation of the Ordinances of the House. If those Orders, by being observed for 200 or 300 years, by never having been deviated from during that time, have thereby become obsolete, then, of course, the proceeding was within the function of Mr. Speaker to carry out; but if a precedent, the longer it is observed the stronger it becomes, then, the fact that for 200 years it has never been departed from, so far would make it deserving to be treated with respect, on the ground of the traditions of this House, as well as the liberties of hon. Members. And there was a certain amount of want of candour in the way in which it was discussed to-day. In the explanation with which you favoured the House, and which has been put into print, in order that there shall be no mistake made about it, you frequently and distinctly declared that you adopted exceptional courses, in order to meet exceptional circumstances. That, of course, was entirely the fact; but the Chancellor of the Exchequer explained that it was merely carrying out a system which had been in force ever since 1850. ["No, no!"] I understood the right hon. Gentleman to say so; and the noble Lord the Member for the Radnor Boroughs distinctly took up the same inference from the speech, and stated that this had been a practice which had continued in operation since 1850. I think the explanation of the Chancellor of the Exchequer was certainly calculated to leave that impression on the minds of hon. Members. That, no doubt, was contrary to the fact that it was only introduced within the last day or two. I do not intend to trouble the House with any long speech on this Motion. I am only desirous to put the matter plainly and distinctly before the House. If these old Privileges are to be abolished, if these precedents are to be swept away, let them be swept away in terms; and let the hon. Gentlemen who voted against the Resolution of my hon. Friend the Member for Meath (Mr. Parnell) vote also, in terms, to destroy these old musty precedents quoted in my Resolution. I was desirous to bring this matter forward; but I have done so very briefly, and will give to hon. Members, as soon as they desire it, a Division on the question, for it is not my desire to obstruct other Business on the Paper for to-night. I have never stood up to speak against time, or to interfere with the Business on the Paper. I simply place a plain issue before the House, to vote "Aye" or "No" upon it. The hon. Gentleman concluded by moving the Amendment.

Amendment proposed to the said proposed Amendment,

To leave out from the words "this House," in line 7 of the proposed Amendment, to the end of the Question, in order to add the words "declares that the practice of this House prescribes that the Clerk Assistant do not take any notes here withont the precedent directions and commands of the House, but only of the Orders and Reports made in the House, and that the entry of the Clerk of particular men's speeches was without warrant at all times,"—(*Mr. Gray,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

Mr OSBORNE MORGAN: I had hoped, after the crushing majority of this morning, a majority more decisive than any I ever remember, that my hon. Friends below me would have been content with spoiling, if not our temper, at least our dinner and our digestion, and would have allowed this matter to pass; particularly as the result of bringing this Motion forward will not be to obstruct Government Business, but to obstruct the Motion of my hon. Friend the Member for Roscommon (the O'Conor Don). It has, however, been thought necessary to renew the challenge; and I suppose we must meet it. I am bound to say of this charge that I do not think I ever saw so great a hubbub about so small a matter.

> "This Liberal ocean into tempest tossed,
> To waft a feather, or to drown a fly."

The hon. Member for Tipperary (Mr. Gray) referred to 1640, and my hon. and learned Friend the Member for Louth (Mr. Sullivan) confesses his readiness to go to the Tower, and to follow the example of Pym and Hampden. Why, he might as well express readiness to be hung, drawn, and quartered on Temple Bar. Is there, in the whole of Europe, a single legislative or deliberative Assembly, the Rules of which are so free, and offer so much liberty of discussion, as those of this House? I will ask, again, is there a single Legislative Assembly which sits under so beneficial and mild a rule as yours? I think, if my hon. Friends had a taste of the iron rule of M. Gambetta, they would soon find out the difference. Then, why is this debate to be prolonged? I am not like the hon. Member for Stoke (Dr. Kenealy), or the hon. and learned Baronet opposite (Sir George Bowyer), and I do not pretend to be a Constitutional lawyer; in fact, I do not know what that is; but I have had the honour of sitting in this House nearly 11 years, and I have always understood that the ruling of Mr. Speaker upon questions of internal management or arrangement was a thing supreme, and could not be questioned. You have given your explanation, Sir, and, I may say, a fairer or more straightforward explanation I have never heard; and we are bound to receive it. I say we are accustomed—even hon. Gentlemen below the Gangway are accustomed—to associate the honour and fair name of the House of Commons with the honour and fair name of Mr. Speaker; and in supporting your authority we are supporting the authority of the House of Commons. Then, what are they afraid of? Surely, they are crying out before they are hit. When this "terrorism" is sought to be exercised, then, and not till then, it will be time for them to speak. In the meantime, as I do not want to prolong the debate, I will only say this—that it will be a bad day for this country, and a bad day for England, and, allow me to add, a bad day for Ireland, when the authority of the Chair, particularly on a question of this kind, comes to be called in question.

MR. BIGGAR: During the progress of this debate, I have been rather startled by some propositions laid down by hon. Members. The hon. Member for Glamorganshire (Mr. Hussey Vivian), who spoke earlier this evening, laid it down that if a Division were against the minority the minority should not consider whether it was right or wrong, or in Order, and should not ask for any further decision on the question for all time to come. That was his experience of 26 or 27 years of Parliamentary life; but, surely, the hon. Gentleman must have occupied his time very strangely, if he does not know that all the great questions have been carried, ultimately, after having been supported by very small minorities at the early stages of the proceedings. With reference to the practical question before us to-night, we have been treated by the Chancellor of the Exchequer, and the noble Lord who leads the Whigs, to a false issue. The issue is not whether we have confidence in you; but whether, by the advice of certain parties, you introduced a new system without asking the sanction of the House? The question of reporting in this House was discussed at some length in the House last Session, and the House refrained from giving any decision on that question; and for that reason I think it is still more undesirable to introduce any new system without asking the consent of the House.

COLONEL KING-HARMAN: In this cricket week, when so many hon. Members have been studying cricket, a little anecdote may illustrate what has brought about a good deal of debate. I was once talking to a gentleman acquainted with an hon. Member in this House, at that time rising into some public notoriety, and in the course of conversation I was told he was a hard hitter, a good block, a bold twister, but that he always quarrelled with the umpire. I cannot help thinking that there is a little desire to quarrel with the umpire in the whole of these proceedings.

MR. JACOB BRIGHT: We are talking of proceedings of this House not open to hon. Members. We have the reports of *Hansard*, and any Member can correct any speech he may make. Then, again, we have the reports in the public Press, and any Member may correct errors in the public Press; but if we have an official Report here, of which we are kept in the dark, and it is not open to Members of this House, in future, some extraordinary sentiments might be produced and attached to individuals which they never uttered at all. One other remark I wish to make. I think it unfortunate that the authorities of this House should, at any time, take any course which serves only to produce irritation in the House, and which does not control whatever evil may be complained of, and which even does not tend to control that evil. According to these views I have voted, and fully explained the vote I am about to give.

SIR JOHN LUBBOCK: I quite understood that there was no objection whatever to produce those Notes which were taken; and, therefore, that is a complete answer to my hon. Friend (Mr. Jacob Bright). I do not rise to prolong this discussion, because I think this House is anxious to proceed to Business; but reference has been made by several speakers to those Members who sit below the Gangway, and, therefore, I just wish to say, as one who generally occupies that position, that I believe that the great majority who sit here entirely agree with the rest of the House in the decision which they have already come to.

THE CHANCELLOR OF THE EXCHEQUER: I wish to say a very few words. I think it is necessary to take notice of an observation or two which has fallen from a hon. Member below the Gangway, because I think he misunderstood a reference or two I made to another Book, which has been kept for the last 30 years, or thereabouts, and which I mentioned in answer to the Motion of the hon. Member for Meath (Mr. Parnell). It seemed to imply, though it was impossible to refer to all precedents, that no Notes should be taken in this

House, except the Notes which are taken on the Table, and are circulated in the morning. I did not refer to those Notes which are taken, and have been taken for the last 30 years, as being an exact precedent for what is done, but in order to show that it had been the habit for many years to take Notes, which are not circulated with the Notes in the morning, and I referred to them, and mentioned that these Books did contain very much the same amount of information as I understood from the description that the Notes recently taken contained. [“No!”] Then, these Notes contain something more. Well, the hon. Member for Dundalk (Mr. Callan) afterwards obtained one of these Books—not the one I was quoting from—the only one I had seen of the date of 1850 — and he mentioned, what was quite correct with regard to it—that it contains the name of every speaker, and it contains the hour at which he rose and sat down, and, therefore, that, of course, showed the hours and minutes he spoke. I believe the later Books do not contain all these particulars. The information I quoted is from the early Books; and some others I have since seen contain a record of the time for which every Member spoke. The hon. Member for Dundalk also observed that some speeches he had recently made were not referred to; but, as I understand, this Book was kept only of the proceedings of this House, and not of the Committee. It appears that, of the Notes recently taken, the first are taken during the Sitting of the House, and are convenient as showing what Members have spoken in the debate, and, therefore, showing what Members have a right to speak. The question I raised was not a question whether the proceedings to which attention had been drawn was a mere continuation of that practice; but I pointed out it was not correct to say that there was no other form in which Notes were taken, except these Notes which are taken and printed. I do not think it is at all necessary to go into any further discussion; but I would point out that, in the Amendment placed on the Paper, I do distinctly raise the question whether Mr. Speaker was or was not justified in the directions given, and I maintain he was so justified. I understand the hon. Member for Tipperary (Mr. Gray) to propose to condemn these words, and to declare point blank that he was not justified. I do not at all object to that issue; I think it is right and proper to raise it, for there can be no doubt, if my Amendment is adopted, that the House will declare that such Notes as these now taken may be legitimately taken at the orders of Mr. Speaker, and that the House approves and sanctions such proceedings. I think there can then be no complaint as to ambiguity. I have endeavoured by rising at once in this way to go to the matter of which complaint has been made, and distinctly to ask the House to justify that proceeding. I do not see how that can be called evasion, and I hope we shall have a clear verdict upon the question.

Mr. CALLAN: I am glad that the right hon. Gentleman has taken the earliest opportunity to remove the injurious effect which my explanation and his statement must have caused. A statement made to-day was incorrect, and, in almost every particular, misleading, and it does not become the Leader of this House flippantly to make such a statement before this House. [“Oh, oh!”] Flippantly, I say, as to the character of documents which he is now obliged to confess he did not examine, except by casually looking into a Book placed before him. Casually looking at the Book, also, I saw it was incorrect; and when I brought it down I saw—for I have a fairly retentive memory—that there were no entries made when this House was sitting in Committee, while these of which we now complain are taken in Committee. There are two points to which I wish to allude—first, the Resolution proposed by the Chancellor of the Exchequer, which is, in very fact, the opposite to the statement you made that the documents are open for any hon. Member, and that if anyone thought fit to move for them, you would ask the House to grant them as an unopposed Return. The Chancellor of the Exchequer, after hearing that statement, thought fit to trammel and fetter your discretion by a Resolution that these Notes are for your confidential information. If only for your information, the purpose for which they are taken is not yet revealed, and I regret some person on the Government or front Opposition Bench has not been authorized by others who have not a right to speak in this House to state that the rumour to which I alluded last night is incorrect. I had hoped that the Chief Clerk at the Table would have authorized some Member of the Government, or some Members of the front Opposition Bench, to state that no use has been made of these Notes; that no consultation has been held upon them for the purpose of adopting measures against Members of this House. That is the *gravamen* of the charge, that the Notes have been inspected by the Clerk at the Table, and that other paid officers have been consulted as to what steps should be taken for indicting Members of this House for their conduct in this House. I hope, for his own honour and independence, he will give that statement contradiction.

MR. A. MARTEN: I think the charge made is most unfounded. The hon. Member for Dundalk (Mr. Callan) accuses the Chancellor of the Exchequer, whom everyone, irrespective of Party, must desire to maintain in his position, of having made a most flippant statement. That is a phrase which I confess I think is one which the hon. Member, if he had consulted his own self-respect, ought not to have addressed to the Chancellor of the Exchequer. Of course, the Chancellor of the Exchequer, who transacts his Business before the faces of all of us, will, I am quite sure, feel when such a charge is brought against him that it is totally unfounded. But with regard to the particular circumstances of the matter with respect to which the language was used, what was the statement made by him with reference to the Notes which for a series of years have been taken with regard to what passes in this House? ["Divide, divide!"] I beg the attention of the House to this point, because it is necessary to be considered, in order that the nature of the charge, and the facts with regard to the previous history of the Notes taken in this House may be thoroughly understood. For nearly 30 years it has been the practice that Notes should be taken, not of all debates, or of all proceedings, but of most of the principal debates which have occurred in the House, as distinguished from proceedings in Committee. It is quite true that these Notes have not been taken with regard to proceedings in Committee, and have not been taken with regard to all the proceedings in this House; but with reference to the Notes being taken occasionally and not continuously, I may point out to that fact as furnishing a complete answer to the statement made by the hon. Member for Dundalk, early in the day, by which he professed to be able to point out numerous deficiencies in these Notes, which he said he had compared with various proceedings within his own experience. [MR. CALLAN: I made no such statement.] If I am in Order, I am in the recollection of the House, when I say the hon. Member for Dundalk did make a reference to these Notes being imperfect. The explanation of that supposed imperfection is that these Notes were taken, not in Committee or on all occasions, but were taken only during actual debates of importance in this House. I myself have had the opportunity of referring to these Notes. They consist of a list of speakers with a list of the hours at which they rose, and, occasionally, there are notes —brief notes—which refer to some matters which are supposed to be of some use to Mr. Speaker. These Notes were taken solely for the benefit of Mr. Speaker himself; and to enable him to preserve a record in the cases in which they were taken of the debates before him in the House. I quite agree that none of them refer to the proceedings in Committee; but they are of essentially the same character as the Notes which have now been taken in Committee; and you, Sir, were pleased to inform the House, when the matter was called in question — on having your attention brought to the fact that the proceedings on the Army Discipline and Regulation Bill did occupy an extraordinary amount of time—that you desired, for your own information, to know what was occurring. With regard to the position of the Speaker during Committees, there is this most important observation to be made —that when Mr. Speaker leaves the Chair, though generally he is believed to be, and during long Committees is, absent from the House, yet, very frequently, during brief Committees, he sits on the Treasury Bench. He is, however, in theory, always supposed to be present, and by the Rules is entitled to resume the Chair to decide any point which suddenly arises, or requires his interposition to preserve Order. It follows that, as Mr. Speaker is himself supposed to be present, he is supposed to be cognizant of everything that goes on; and when any question arises, without any special report made to him, to know what is occurring. No doubt, when the Committee confirms a Resolution, the Committee reports that vote to Mr. Speaker, not for his personal information, but to him as the Representative of the House. The Committee reports, and when Mr. Raikes reports to Mr. Speaker he represents the Committee in making a formal Report of the proceedings to Mr. Speaker. Mr. Speaker then communicates it to the House, and the House makes an Order with regard to the order of the proceedings. That is entirely different from his knowledge of what goes on as a Member of this House, and also different from his knowledge, occupying the highest position as he does, of what goes on in Committee. If I am not wearying the House, I may refer to a very important statement made in April, 1814, on the question of the speech made by the Speaker of that day. The question there arose as to what was the position of the Speaker with regard to the Committee. Now, if I may be permitted, without wearying the House, to read a few words from the debate I should like to do so, because they deal with a most important matter—namely, the exact position of Mr. Speaker with regard to the House itself. Of course, in all my observations I do not refer to Select Committees and Committees upstairs, but to Committees of the Whole House. On the 22nd of April, 1814, the then Speaker (Mr. Abbot), in his address to the House, discussed the technical objection that the Speaker can know nothing of what passes in a Committee, either as to the proceeding or as to the reasons on which the proceeding is founded. That was the objection taken. The answer made by Mr. Speaker Abbot was, that it was strictly his duty to be there "as Speaker," and to be cognizant of all that passes, although, by indulgence, his absence may be excused—

> "And it is so much his duty to be present that, if necessary, he may (as has happened in my own time), upon his own observation of what is passing, and upon his own responsibility take the Chair 'as Speaker' without the leave of the House, to put an end to any disorder that may arise in the Committee."—[1 *Hansard*, xxvii.483.]

I will not read further; but that proves that Mr. Speaker is as a Member of the House, and is also, "as Speaker," conscious of everything that goes on in Committee. Physically, it is impossible for Mr. Speaker, with his onerous duties, to remain here during the many hours we are in Committee. It would be a most intolerable burden to place on him, in addition to the enormous Public Business which weighs upon him, and has to be transacted every Session, that he should also be present during the whole of the proceedings of every Committee. Therefore, he is perfectly justified, on the most technical grounds, for his own information, in obtaining these Notes which have been taken of proceedings in Committee. Now, the hon. Member for Tipperary (Mr. Gray) produced, with a great deal of ceremony and emphasis, precedents which rather chime in with us on this side. He inferred from some cheers which he heard that we thought them musty precedents of no value. I say that I entertain the highest respect—no one can entertain a higher respect than I do—for precedents, especially precedents with regard to the proceedings of this most ancient and honourable Assembly. But the precedents with which we are acquainted all prove that although, from time to time, there have arisen difficulties in maintaining the discipline of the House and in carrying on the Public Business, yet, from time immemorial, the House has always asserted its authority over individual Members, and invariably, in the end, notwithstanding many difficulties and much delay, has proved successful. With regard to the particular precedents cited, there was one on the 17th April, 1628. All I understand that to refer to is that the Clerk at the Table is not to take a shorthand note of everything which occurs in this Sitting. I want to ask the hon. Member how is that applicable to the present case? Because the complaint is that a verbatim report is not taken. We are told that if we were to have a verbatim note taken of our proceedings, and these Notes were published, hon. Members opposite would be only too delighted, as there would then be a full report to the nation of all that took place here. They would be right glad, they say, to challenge the House to the issue that everything they have done has been entirely justified by the motive which actuated them, or by the object; but I say all this is totally inapplicable to what we are now considering. If the Clerks were to begin taking Notes of particular speeches, then it is possible that that precedent, if antiquated and old, yet none the less worthy of respect now than it was at that time—that that precedent might be put in force. But I should like to know what pretence there is for suggesting that any officer of the House of Commons is taking Notes of particular Member's speeches? The complaint is that they do not do it; but that merely a Note is taken of the names and number of times that hon. Members rise, and the time they occupy, not of what they say. No attempt has been made to go into the details of this precedent. But I believe it will be found that the precedent of 1628 was the time when shorthand notes were coming into vogue, and were extremely popular. We have preserved to us diaries taken by Members at that period. I can point also to law books, in which are contained verbatim reports of the proceedings which took place in those days. These, then, were the first times that verbatim reports were introduced, and, no doubt, the complaint was that the Clerk at the Table was exercising his skill as a shorthand writer in taking down particular speeches, and not attending to the duties incumbent upon him of recording the Orders of the House. ["Oh, oh!"] Well, I think that may be so. The next precedent referred to is the 25th April, 1640—we do not come to these precedents in order of dates, but quite promiscuously—and that is that the Clerk Assistant do not take any Note of the proceedings of the House, except with the sanction of the House. Now, as I understand it, that was a precedent of the same description as that of the 17th April, 1628. It was, of course, immediately after the meeting of the Long Parliament in the reign of Charles I. It was immediately upon that assembling, and I have no doubt it was merely a repetition of the precedent of 1628, and was to prevent the Clerk from doing that which would interfere with his ordinary avocations. It merely said the Clerk Assistant; it did not refer to the Clerk. Another precedent referred to was the 9th March, 1620, which will go back to James I. There, as I understand, the precedent is thus laid down that Mr. Speaker was bound to respect every Member of this House. I appeal to both sides of the House, and to all sections of the House, confidently, whether our Mr. Speaker does not most impartially respect every Member? It is quite clear that in the time of James I., 1620, that that was a time when most violent struggles were going on with regard to Imperial, Constitutional, and social questions; and I have not the slightest doubt that the origin of that Rule had no reference whatever to a gentleman in the Gallery taking an occasional memorandum with regard to those persons who might address the House, but was addressed to some act indicating a supposed partiality of the Speaker with regard to different quarters of the House, or to different Members of the House and the Government. That precedent merely was that Mr. Speaker is bound to respect every Member, and to afford to him, whether seated below Mr. Speaker or above him, according to the old arrangement of places, fair respect. I ask the House, in confidence, what is the value of these precedents? I say that if they were in point and useful I should be the first to advocate their being upheld. But I say they have nothing whatever to do with the present subject. To bring forward this Resolution is to give the entire go-by to the main question put forward by the Chancellor of the Exchequer on the Amendment proposed, and to attempt to raise a false issue, having nothing to do with the present question. That question, as I venture to say, is of the very simplest description. Although the matter is a very small one, it is capable of being looked at from a high Constitutional point of view. I apprehend everyone in this House must be interested in preserving the ancient and historic grandeur, splendour, and reputation of this House. It is the one historic and ancient House which, through evil and through good repute, and under every opposition and difficulty, through popular agitation or popular indifference, has always managed to preserve that freedom of debate and that moderation of conduct which ought to characterize a great national Assembly. I venture to say that we may appeal to our ancient position, as showing that no Assembly in the whole history of the world has ever been formed, which combined full liberty with thorough efficiency, better than is attained in this House of Commons; and I think we may congratulate ourselves that on the present occasion Mr. Speaker has been supported by a majority, showing that confidence in him which his conduct hitherto most unquestionably has deserved from everybody in the House. I trust that the Amendment will be rejected by a very overwhelming majority.

Sir WILFRID LAWSON: Sir, I do not want to bring any charge of flippancy against any Member on the Ministerial Bench. I think the Chancellor of the Exchequer, in the course of the speech which he made, put the matter before the House in a most straightforward and comprehensive manner. I am sure, Mr. Speaker, that this has been a very disagreeable debate for all of us; it is certainly a painful pleasure to me to get up and speak upon a question of this kind, after listening to the long debate which we have had; still, this life is full of disagreeable things, and disagreeable things must be borne with. I found it very unpleasant to walk into the Lobby an hour or two before dinner with the minority; but I felt that no other course was open to me. I came down to the House perfectly uncertain as to the course I should adopt in this matter; but I listened to the debate, and, after hearing the arguments on both sides of the question, I formed the opinion that no answer had been given to the Motion of the hon. Member for Meath (Mr. Parnell). The right hon. Gentleman the Member for Greenwich (Mr. Gladstone) said that the question was, whether we had or had not confidence in you, Sir? But I think that was hardly a fair way of putting it, because I believe I speak the mind of hon. Gentlemen below the Gangway, when I say that there is no one of them who has not perfect confidence in you. The question in my view is, whether a certain practice which you sanctioned the other day is a practice which ought to be sanctioned by us or not? I will only say there is one thing I pay more regard to than to you, and that is the truth; and, therefore, I am bound to vote for what I believe to be the truth. I was astonished to hear an argument which has been brought forward to-day by the right hon. Gentleman the Member for Greenwich, and by hon. Members on the other side of the House. They insist that we shall not be guided by these old precedents of 200 years ago. But I believe the maintaining of these old-established and well-considered Rules of the House is one of the safeguards of the liberty of the country, and I am convinced that we shall do a very bad day's work indeed when we make any change in them. I say it is just as important to preserve the rights and liberties of any five Members who sit below the Gangway, who may annoy us by dividing over and over again, as it was to preserve the rights and liberties of Members 200 years ago. I thank the House for hearing the few remarks which I have made upon this unpleasant subject. The only honour I hope to enjoy is to be an independent Member of this House, and I am sure I could not be that, unless I took every opportunity of protesting against anything which endangers the liberty of the House.

Sir GEORGE BOWYER: Sir, I think that the Division which has taken place to-day, of upwards of 400 against 29, ought to be final. We have been told that we are not to talk about ancient and musty precedents as protecting the rights of Members of this House. Now, although I have always relied upon ancient precedents, and would be the last person in the world to speak against them, I feel it is necessary to consider them with reference to the circumstances of the time when those precedents were established. But, Sir, we have had a number of precedents referred to which have nothing whatever to do with the question before the House. The most important of these was that on the occasion of King Charles I. coming into the House, and asking Mr. Speaker Lenthall where certain Members were when Mr. Speaker took that course which was, no doubt, incumbent upon him, and said—"I can see only with the eyes of the House, and I can speak only with the tongue of the House." In saying this, he was, no doubt, perfectly right; but is it meant that, because Mr. Speaker Lenthall refused to answer a question put to him by the King, that you, Sir, have no discretion whatever to give orders with regard to matters affecting the Business and usage of the House? This precedent has nothing to do with the present question. Let us look at the particular case before the House. A Committee of the House was appointed to consider the subject of the Business of the House, and Mr. Speaker was called upon to give evidence before that Committee; Mr. Speaker could not give the Committee that accurate and exhaustive information with regard to the proceedings of the House which it was desirable that he should give, and, therefore, he has considered it expedient and useful, in order to the discharge of the duties of his high Office, to obtain accurate reports of what is taking place in the House. Now, what could be more reasonable than that he should take measures to obtain an accurate, official, and responsible record of the proceedings of the House? It was perfectly right that he should do so. But how can anybody compare this case with the precedent of Mr. Speaker Lenthall, who refused to answer a question put to him by the King, as to where were those Members who had offended him? The case is perfectly irrelevant. I admit that the precedents of the time when the Privileges of the House of Commons were in question are of great importance; but I say that in using those precedents we are bound to consider the circumstances which surrounded them. There was, at the period in question, a contest between the Privileges of Parliament and the Prerogative of the Crown. Parliament then most jealously guarded its Privileges as against the Prerogative of the Crown for this reason—that Members of the House of Commons were sometimes called to account for expressions used by them in the House in the discharge of their duties. It was, therefore, absolutely necessary, at that time, for the liberty of Parliament, that its proceedings should not be published, and it became a Breach of Privilege to publish anything that took place within the House, for the obvious reason that Members could not speak their minds freely, unless they were sure that what they said in Parliament would not reach those authorities who would make them responsible for their utterances. But what is the case now? No one fears the Prerogative of the Crown; and although my hon. Friends opposite have spoken of terrorism, I ask whether terrorism is feared by any one of us, and whether there is a Member of this House who fears to speak his mind freely upon any subject which is brought before Parliament? A Member of this House only fears the authority of the Chair; as long as he is in Order; no Member has any reason to fear, or does fear, to say anything which he considers it his duty to say; and, therefore, he possesses the greatest liberty of speech, without restraint or respect of person. I need not enter into the question of whether unnecessary delays are to occur, or whether remedies are to be used for the purpose of preventing them. It may be useful—no doubt, it is useful—that Mr. Speaker should have accurate statistical information with regard to the proceedings in this House; and I contend that it was in the discretion of Mr. Speaker to decide whether that information was, or was not, desirable and useful. This House is deeply interested in the discharge of the duties of Mr. Speaker, and the Business of the House could not proceed unless these were accurately discharged. Therefore, I maintain that what has been done is not in the interest either of Mr. Speaker or of the Government, but in the interest of the House of Commons. I say that to call it a breach of the Privileges of the House is a most absurd and monstrous proposition. We have gentlemen sitting above us who report the proceedings of the House; the existence of reporters has now become a Constitutional matter, and, contrary to the necessities of former times, we now wish our constituents to know what we are doing; we are responsible to them, and we are obliged to the organs of the Press for making known to them our opinions, our speeches, and our votes. That being so, an essential difference exists between our time and the times when it was necessary to conceal the proceedings of Parliament for the purposes of protecting Members from the power of the Prerogative of the Crown and the Star Chambers, which would have made them responsible for their speeches and votes. Again, it is most monstrous and absurd to say that Mr. Speaker wished to introduce into the House any system of espionage by employing an officer of the House to report what was going on in Committee on the Army Discipline and Regulation Bill. How can there be espionage with regard to what is spoken in the presence of the representatives of the Press and in the presence of strangers in the Gallery? The statement is ridiculous. And, now, with regard to the position of hon. Members opposite, I must say that having such a futile and miserable case I recommend them, if they would consult their own dignity and the interest of Ireland, to abandon this topic, and withdraw from the position which they have assumed.

Mr. MITCHELL HENRY: Sir, I will not venture formally to ask you a question with respect to the books now circulating about the House, one of which, called *The Speech Book*, I have seen; but I wish for some information upon that subject which you may possibly be able to afford. The book which I have seen contains, under various headings and chapters, abstracts of the debates which have taken place in the House whilst you were in the Chair, and attached to these headings there are, in some cases, merely the names of Members who spoke. In other cases there are entries of the time as well as the names, which would afford you information as to the time occupied by particular speakers. It is very important that you should have every information as to the proceedings of the House which you may require; but I ask, why, if the system just now originated is more accurate than the former, it was never adopted before? If, however, the information now obtained is of precisely the same character as that which has been obtained formerly, I ask what is the meaning of the, to my mind, exceedingly objectionable phrase in the Resolution of the Chancellor of the Exchequer, "For the confidential information of the Speaker?" How long is this information to remain confidential, and is it to remain so until somebody asks a question concerning it, and Mr. Speaker chooses to make answer? I should feel much less difficulty if it was stated that this was a matter for the information of Mr. Speaker which that high officer would use in the House as he pleased. By adopting the word "confidential," we should actually prevent Mr. Speaker, if the Resolution were passed, from making public those reports, and that seems to me a thing which we ought not to sanction. I also desire to know where the records hitherto taken have been kept in former times; have they been kept by the Clerk at the Table, or by some other officer of the House, and are they exactly the same as the records hitherto kept by the Clerk at the Table? Sir, I feel that without the information for which I ask I shall be unable to vote intelligibly upon this Motion.

Mr. GILES: Sir, in rising to say a few words on the question of precedent, I merely wish to remark that it has appeared to me, in the numerous debates in this House, that there is too great a straining after precedent. We have had to-night a precedent quoted of 240 years old. In railway engineering, one in 240 is considered the angle of repose, and I think the musty precedent of 240 years might very well repose in the musty volume from which it was extracted. If we were to be entirely guided by precedent, where would have been our railways, our steamboats, and our telegraphs? And, if we carry precedent to its natural conclusion we should never have anything new. If the hon. Gentlemen opposite insist upon having a precedent, let them take the unprecedented precedent of this evening's vote and accept that as a precedent for their future guidance.

Sir BALDWYN LEIGHTON said, it had been the custom, extending over 30 years, for the Clerk at the Table to take down the names of hon. Members who spoke, and the time during which they spoke. If, therefore, Mr. Speaker was not in the Chair, was there any reason why, for his information, the same course should not be pursued? But now they were taken back to the 17th century for precedents the other way; but that period was not one to which the House of Commons should, in his opinion, look for precedents. In that century there was a struggle between the House in support of its liberties and the Crown; and, naturally, one of the things about which the House was exceedingly careful was that the Crown should not know what was said by individual Members. Happily, all that had passed away. They had now a large number of newspapers reporting each day the speeches of hon. Members; and there was in the House a Gallery set apart for members of the Press. What need had they, then, to go back to the 17th century for guides and precedents? He believed that the country was amazed at the obstruction which had taken place; and he ventured to say that if such a charge were to be brought against the Government, that they had obstructed the Public Business, it would only rebound against hon. Members who had really adopted that course. He also ventured to suggest to hon. Members for Ireland that they should re-consider the policy which they had so long pursued. There were before the House several Bills in which they were interested, among them the Irish Education Bill; and there were also a number of English Bills, such as the Valuation Bill and the County Boards Bill; and it was obvious that if hon. Members from Ireland would give cordial assistance in getting measures through the House, English Members would do all they could to assist them in carrying their own measures. He ventured to hope that hon. Members from Ireland would now make some change in their tactics, and they would find that their time had not been wasted.

Question put.

The House *divided*:—Ayes 292; Noes 24: Majority 268.—(Div. List, No. 160.)

Words *added*.

Main Question, as amended, put.

Resolved, That Notice having been taken while the House was in Committee, of the presence in one of the side Galleries of a gentleman engaged in taking notes of the proceedings of the Committee; and Mr. Speaker having informed the House that the gentleman was an officer of the House, and was so employed under his direction, and that the notes taken by him were for the confidential information of the Speaker, this House is of opinion that Mr. Speaker was justified in the directions given by him, and is entitled to the support and confidence of this House.

ORDER OF THE DAY.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

IRELAND—TRAINING OF TEACHERS IN ELEMENTARY SCHOOLS.

RESOLUTION.

THE O'CONOR DON, in rising to call attention to the training of the Teachers in Elementary Schools in Ireland, and to move—

"That, considering the very large proportion of untrained Teachers in charge of Elementary Schools in Ireland, and the recommendations of the Royal Commission on Primary Education which reported in 1868, it is desirable that steps should be immediately taken by Her Majesty's Government to give effect to the Resolution in regard to Grants to Training Schools adopted by the Board of National Education in Ireland in December 1874;"

said, the question to which he wished to ask the attention of the House, although not of the burning character of the educational topics lately submitted, was still one of very considerable importance. They had lately been considering the condition of higher education in Ireland. He desired now to call attention to the other end of the educational course, and the matters connected with the interests and well-being of the schools frequented by the children of the large mass of the population. He felt sure it would be admitted that no point in connection with these schools was of more importance than the character and fitness of the teachers who presided in them, and he thought it would also be very generally granted that teaching itself was an art, that it required to be learned, that training and instruction should precede practice, and that it was not every young lad or girl who passed through a school that was capable of undertaking its management. It would scarcely be denied, he thought, that to have successful teaching there should be competent teachers, and in order to secure these there must be established some system of preliminary training. No truth was more fully recognized by the founders of the National system of education in Ireland than this one. For the purpose of carrying out this training an institution was established in Marlborough Street, Dublin, shortly after the National system of education was founded. It was first opened for males, and subsequently for females, and it had been in working operation for nearly 40 years. Subsequently, at various times, district and minor model schools were founded, all under the control and management of the Board of Education, and upon these schools £50,000 a-year was now spent. As already stated, according to the Report of the Royal Commission, a residence of two years was contemplated, and he would now like to ask attention to the actual facts regarding the duration of the training. In England and Scotland two years was the duration of the training; but in Ireland, as a matter of fact, the ordinary training lasted only five months, and, in many instances, only four months. Beyond that, short as it was, it was most miserably defective. Mr. Marshall, one of the English Inspectors, referred to the teachers who had spent four or five months in the Dublin training school as "virtually untrained." Mr. Connor, another Inspector, referred to them in the same sense; and Mr. O'Hara stated that very little difference could be found between trained and untrained teachers. But not only was the length of training wretched, but the numbers who took advantage of this wretched training were very small. In considering this part of the subject he would have to go back a little on the history of the question. In June, 1866, more than 13 years ago, Lord Carlingford, then Mr. Chichester Fortescue, Chief Secretary for Ireland, wrote as follows to the Commissioners on National Education:—

"I am desired by His Excellency the Lord Lieutenant, to inform you that Her Majesty's Government have had under their consideration several important questions connected with the operation of the National system of education in Ireland. The first question which they request the Board to consider is that of the training of the teachers of the model schools. It was originally laid down by Lord Derby, as a condition of the employment of teachers, that they should receive previous instruction in the normal school which was established in Dublin in 1833; but the Commissioners of Education, having this one normal school only, and having a large and increasing number of teachers to train, were forced to adopt a very limited course of instruction, a course which at first was spread over three months only, and which has never exceeded five months, and notwithstanding this effort to extend, however imperfectly, the influences of training as widely as possible, it appears that there are still in the National Schools 4,369 untrained teachers out of a total of 7,472. It is, of course, known to the Government that the district model schools assist in supplying competent teachers; but the number they are able to send out does not, it appears, exceed 90, while in 34 out of 60 school districts no model school has been established. It is accordingly ascertained that between the training school in Dublin and the district model schools in the country the number of persons prepared for the office of teacher is only about 400, whereas the number of new teachers annually required is 900. The Government view this state of things with much concern, and are anxious to apply a remedy for the incompleteness and inadequacy of the present training."

Here they had the position of affairs at that time very clearly laid down by the responsible Minister of the Crown. The training, he stated, was inadequate both as to duration and extent. It lasted only five months, and was not participated in by the majority of the teachers; and that, he stated, was regarded with much concern by the Government. The result of that letter of Mr. Chichester Fortescue's was a recommendation of an alteration in the system by the Board of Education, and the preparation of an Estimate for carrying it out. But a change of Government took place, the Conservative Party came into power, and the new Chief Secretary, Lord Mayo, declined to do anything in the matter without first having a preliminary inquiry. In the following year, 1867, he announced the intention of the Government to appoint a Royal Commission, which was accordingly appointed in 1868. That Commission sat for three years, and in the end issued a most exhaustive Report in 1871, in which the subject of training of teachers was most elaborately treated. The Commissioners found the facts to be exactly as Mr. Chichester Fortescue had stated—that the training of teachers was miserably defective, both as to the length of time and the number who took advantage of it; in fact, they found there was no effective system of training at all in Ireland, and they went into consideration of the causes which led to this, and the remedies which ought to be applied. The cause of all this, both as stated by Mr. Chichester Fortescue, and admitted by the Board of Education, and proved before the Royal Commission, was the old cause which had marred all educational efforts in Ireland. It was the old attempt to force on an unwilling people a system of mixed and secular education; and here, as everywhere else, it had broken down. The ordinary primary National schools had not failed, simply because, though in name they were mixed and secular, they were in practice, to all intents and purposes, separate and denominational schools; but the training schools, just like the Queen's Colleges, were the purest types of the mixed system; and, accordingly, as in every other branch of education where that was the case, the failure was conspicuous. As already stated, a central training school was established in Dublin, and other model schools subsequently in different parts of the country. Those were essentially mixed and secular schools, and in the central training school the teacher.

under a course of training was obliged to reside as well as to attend for instruction. The distinction between these institutions and the ordinary day schools was, therefore, a very marked one. The training schools, just as the Queen's Colleges, were real types of thoroughly secular institutions. The evils of this system could not be expressed in more eloquent words than in the Report of Messrs. Cowen and Stokes, two of Lord Mayo's Royal Commissioners. They say—

> "No system, however carefully devised, which ignores the power to be derived in forming the character from unity of religious convictions, can be effectual. In Marlborough Street, at every turn, religious differences are kept before the pupils. It is no happy family which is divided into these sects, continually separating from each other for religious duties, who cannot say even 'Our Father' in common. Those young people are no longer children, fresh and light-hearted. They have learned to feel already the bitterness and difficulty which religious differences create."

And they recommend that the training of teachers should be denominational, even if no other part of the system be altered. Sir Alexander Macdonald, so long the able head of the Board of Education, himself a strong supporter of mixed education, admitted the same thing, and stated—

> "If we call out 300 or 400 persons from every part of Ireland, from their own homes and their own pastures, every year for half a-year, to be educated in Dublin, it is a very monstrous thing that we should not provide for their spiritual as well as their secular education;"

and he went on to say that the system of united training of teachers in Ireland had failed. In 1866, when Mr. Chichester Fortescue brought the subject under the notice of the Board, he not only pointed out the existence and the extent of the evil, but suggested a remedy. He suggested, on behalf of the Government, first, the establishment of model and training schools under local management corresponding, to a certain extent, with the ordinary non-vested primary schools; and, secondly, the granting of permission to students trained in Dublin in the State model schools to board out. In this recommendation the Royal Commission and the Board of Education concurred. Messrs. Cowen and Stokes again report—

> "The importance which we attach to the employment of trained teachers generally in schools, the repugnance displayed towards the system of united training, the difficulty of overcoming the reasons on which this repugnance is founded, and the advantages which may accompany increased facilities for establishing and conducting training schools, convince us that the claims for denominational training should be conceded."

And the Commission itself reported—

> "That the aid of the Board should be given to training schools under the management of committees, voluntary societies, or religious bodies, under certain conditions."

This recommendation of the Commission, made in 1871, has ever since remained a dead letter. In the following year the attention of Parliament was occupied with more pressing questions, and in the year after the Government of Mr. Gladstone went out of Office and the present Government came into power. It was not long in power when attention was again directed to the subject, and in 1874 the right hon. Baronet the present Secretary of State for the Colonies (Sir Michael Hicks-Beach), then Chief Secretary for Ireland, wrote to the Board of Education, on behalf of the Lord Lieutenant, to the following effect:—

> "His Grace invites the special attention of the Board to the important subject embraced in Question No. 6 [referring to the training schools]. His Grace understands that in England there are 39 training schools, with 2,894 students, with a grant of £90,000 a-year; in Scotland 5 training schools, with 704 students, and a grant of £21,500; while in Ireland there is only 1 normal training school, with 218 students, and a grant of £7,646, although this deficiency is to some extent supplemented by a system of district model schools. It is further to be borne in mind that whereas two years is generally considered the minimum period of residence in a training school, the Irish teachers, with the exception of those that undergo a special term of training, remain only about five months in the Marlborough Street school. The existing insufficiency of teachers, trained even to this extent, cannot but injuriously affect the present standard of education; and His Grace observes that in their last Report the Commissioners show that they have 6,284 untrained teachers in the service. His Grace is anxious to bring the recommendations of Mr. Chichester Fortescue and the Royal Commissioners under the notice of the Board, while, at the same time, guarding himself against expressing any opinion upon their respective merits."

This letter was written in November, 1874, and in reply to it, in the following month, the Board of Education met to consider the recommendations made by Mr. Chichester Fortescue and the Royal

Commission, when they came to certain resolutions which it was the object of the Motion now before the House to enforce. They decided to approve of certain alterations in the system of training in Marlborough Street, and of allowing grants to non-vested or denominational training Colleges or schools upon certain conditions. The conditions were mainly these — that a training College should include a College for instructing candidates for the office of teacher of the National School, and of a practising National School. No grant to be made unless the secular teaching was open to pupils of all denominations, and that the site of the school should be approved of by the Board; that a certain number of hours should be devoted to secular instruction; that the practising school should be a National School carried on on the same system as any ordinary National School; that grants should be made to the credit of the training College of £100 for every master and £70 for every mistress with a first-class certificate, and £80 and £50 for masters and mistresses with second-class certificates who had been trained continually for two years; and if trained for only one year, half the grant to be given—the grant in no case to exceed 75 per cent of the total expenditure of the college, and the examination of students and programme of examination for admission to be settled by the Board. Those recommendations were made in 1874, at the instance of the late Chief Secretary, and nothing had since been done to carry them into effect. On the other hand, since those recommendations were made, things had been going from bad to worse. When Lord Carlingford wrote the first letter, about 40 per cent of the teachers were trained; when Sir Michael Hicks-Beach wrote in 1874, about 38 per cent; but, according to the last Report of the Commissioners on National Education, there were now in Ireland 10,674 teachers, and of these only 3,394 were trained—that was to say, only about 32 per cent of all the teachers in Ireland were trained. So that, instead of getting better, matters were getting much worse; and if the thing was urgent in 1866 it was still more so now. That, then, was the state of affairs in Ireland; and before saying more upon it he wished to call attention for a few moments to what was done in England and Scotland. In England and Scotland no such system as that forced upon Ireland was in existence. In England district training colleges attached to the different religious denominations were recognized and endowed. Up to the passing of the Education Act of 1871, not only were denominational schools and training colleges recognized, but actually religious teaching itself was inspected and reported upon. Since 1871 this had ceased. The State no longer recognized religious teaching; but it did not place it under a ban. It did not say that where religious teaching was given no grant should be made for secular teaching, and it did not make the teaching of religious truths a disability. Yet that was what was attempted to be done in Ireland. In England there were over 40 training Colleges aided by the State in connection with almost every considerable religious Body over the country—with the Church of England, the Wesleyans, Congregationalists, Roman Catholics, and even the Secularists —for the latter he ventured to call as much a separate and distinct sect as any other. All these Colleges were assisted by the State, and what was the result? It appeared from the last Report of the Committee of the Privy Council that of teachers employed in schools in England and Wales only 25 per cent were untrained, 75 being trained; and that training did not consist in a miserable stay of three or four months in a training school, as 61 per cent of the teachers employed in English schools had undergone two years' training, 10 per cent for more than one year, and only 3 per cent less than a year. Further than that, the proportion of untrained teachers in the schools was yearly diminishing. The training schools in England and Wales had now about 3,000 students in training for the two years' course, and supplied annually 1,500, which was nearly or just about the full number required to supply vacancies; whereas in Ireland, with an annual want of about 700 teachers, the total number trained in 1878, according to the last Report of the Board, was 166. Then, as to Scotland. There, as in England, separate denominational training schools were recognized. In Scotland, of the masters employed in teaching, 53 per cent had been trained for two years, 13 per cent for one year, and 5 per cent for less than a year, and 29 per cent were untrained; and of mistresses 69 per cent were trained for two years, 9 per cent for one year, 1 per cent for less than a year, and only 21 per cent untrained. There were 1,000 students in training for the two years' course, an annual supply of 500 teachers, or more than the full number supplied for the annual vacancies. The training schools in Scotland were essentially denominational, and religious instruction was given in them. The fact was reported even in the Report of the Government Inspector, and examinations in religious knowledge were held at the end of the course; and on this point of religious teaching the teachers or committees having charge of the College had the most ample powers to teach what they wished, and how they wished. To these denominational Colleges annual grants were made of £100 for every master trained two years, and £70 for every mistress. And further than that, an arrangement had been made with the Scotch Universities, by which a special course of study and examination at those Unversities was provided for a certain number of those students, and the attendance at that course of study, and the passing of those University examinations, entitled the students to have their certificates, and the Colleges from which they came to the payments on their behalf, so that they had there in Scotland purely denominational Colleges receiving direct grants of £50 a-year for each student who passed a certain University examination corresponding as they were told in the Report with that of the degree of B.A. Yet, in the face of that, his hon. Friend the Member for Edinburgh (Mr. M'Laren) felt justified in getting up in the House and declaring, in a speech which he had thought worth while to have printed in pamphlet form, that the grant of £20 a-year to denominational Colleges for the results of teaching proficiently in secular subjects in Ireland was "absolutely monstrous." In Ireland no grants were made for training schools beyond those made to the Government institutions, and the result was that 68 per cent of the teachers were untrained, and of those called trained only a very small proportion received more than four months' training. In England and Scotland large grants were made to denominational training schools, with the result that in England only 25 per cent of the masters were untrained, and in Scotland only 29 per cent. The system adopted in Ireland had been condemned by successive Governments, it had been condemned by the Board of Education, it had been condemned by a Royal Commission; yet nothing was done to alter it, and it remained unchanged, side by side with a totally different system in England and Scotland. It was impossible in these circumstances for Irishmen, and especially for Irish Catholics, not to feel that in this, as in every other branch of the Education question, they were treated exceptionally, wholly on account of their religion. If they were not Irishmen and Catholics it would be impossible for this state of things to continue. Even from the most anti-religious point of view it was monstrously absurd. If, by it young men could be induced to enter into the mixed State training schools, and that Catholic candidates for the office of teacher were to be found there in large numbers, there would be some excuse for the proceeding on the ground of common sense; but when that was not the case, and when the only result was having the education of the country carried on by untrained teachers, the proceeding was absolutely senseless. But it might be said that the granting of the demands in respect of this training of teachers would be contrary to the whole spirit and principle of education in Ireland. He denied that altogether. The system of primary education in Ireland might be called anything that people liked; but it was, practically, a denominational system, and the moment the State approved of the non-vested primary schools and gave grants to those schools, that moment the whole principle of mixed education was given up, and after the reality was given up it was idle to fight about the shadow. What he wished to press upon the House by the adoption of his Motion was that the principle of the non-vested system should be extended to the training schools, and that non-vested, and, he would admit, practically denominational schools, just as non-invested primary schools, should be put on the same footing of recognition as similar schools in England and Scotland. This demand was a just one. It was a simple one. It was supported by the highest authorities, by the Government of 1866, by the Board of

Education, by the Royal Commission appointed by the Party now in power; and he could not believe that the present Government, who had at such an early period shown an interest in the matter, would refuse to grant it. The money for carrying it out was at hand, or, at least, a portion of it. Nearly £50,000 a-year was at present spent in Ireland on the central training schools of the district model schools, and, in a great part, uselessly spent. Some of those funds, at least, might be usefully diverted in the manner he proposed; and in the confident hope that the Government would do that little act of justice he begged to move the Resolution of which he had given Notice.

Mr. ERRINGTON, in seconding the Motion, quoted statistics to show the defective nature of the arrangements that had been made for the training of teachers, as referred to in the Motion of his hon. Friend the Member for Roscommon (the O'Conor Don). Estimating the minimum number of the teachers who should be trained for Ireland at 500, he calculated that the cost per annum would amount to £25,000. His hon. Friend asked for an increase in the present Vote of £25,000, and the hon. and learned Member for Kildare (Mr. Meldon) also asked for an increase. Both of those hon. Members wished to improve the condition of the teachers, the one intellectually, and the other physically. Considerable retrenchment might, he thought, be effected in other directions. One branch of those Estimates required very careful consideration. The model schools were, professedly, a portion of that training system; and the reports of the Inspectors pointed out how completely they had failed in that respect. Taking those schools simply on economical grounds, the right hon. Gentleman the Chief Secretary for Ireland could fairly effect a considerable reduction upon them. The objects sought by those schools were to give a model of mixed education, to afford examples for the National Schools, and also to give a preparatory training to young teachers. But they had absolutely failed as training schools, and very few of them were really models of mixed education. The Royal Commissioners showed that a very great proportion of the children educated in those schools, with money voted for the benefit of the poorer classes, were the children of the respectable and richer classes. In 1874, a Department Commission of the Treasury was appointed to inquire into those schools, as there was a proposal to increase the salaries of the masters. The Commissioners said that not more than one-third of the children in those schools were drawn from the working classes. No less a sum than £40,000 a-year was thrown away upon those schools, which had failed in every object for which they were intended. In point of fact, the model schools were intermediate schools. For a long time past the managers of schools in Ireland had been alive to the serious nature of the want of training; and, accordingly, in 1875, the Catholic Bishops started a training College of their own. In 1878-79 there were 45 teachers in that institution. The hon. Member concluded by expressing a hope that the House would accept the proposals of his hon. Friend.

Amendment proposed,

To leave out the word "That" to the end of the Question, in order to add the words "considering the very large proportion of untrained Teachers in charge of Elementary Schools in Ireland, and the recommendations of the Royal Commission on Primary Education which reported in 1868, it is desirable that steps should be immediately taken by Her Majesty's Government to give effect to the Resolution in regard to Grants to Training Schools adopted by the Board of National Education in Ireland in December 1874,"—(*The O' Conor Don,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. COGAN said, that his hon. Friend who had already addressed the House (the O'Conor Don) had entered at such length into this subject that, at that late hour, he should not be justified in taking up much of the time of the House. He should not have intruded into the debate at all, if he had not wished to bear his testimony to the deep interest felt in Ireland with regard to this subject. The House had heard, with feelings of regret, the sad history that had been given to it of the state in which so vast a number of teachers in the National Schools in Ireland now were. It was a melancholy thing for them to have to state now that a system which had been in force for so many years in Ireland should only possess 31 per cent of trained teachers, when the total number of teachers was about 6,000. He believed that in any effort which they might initiate, and which they were prepared to make, the state of the National School teachers in Ireland was the most important matter to be considered, and more particularly their training for the avocations which they had to pursue. Though he was always ready to advocate any scheme for improving their physical well-being, and to increase their salaries, yet the most important matter of all was that this House should see that the persons to whom it had intrusted teaching in Ireland should be qualified for the position in which they were placed. It had been shown to the House that for a long series of years the state of the training for National School teachers in Ireland had been complained of, and that a Royal Commission had sat upon the subject, and that successive Chief Secretaries for Ireland had felt it so important a matter that they had brought it under the notice of the Board. It had also been shown that, so long ago as 1874, the right hon. Gentleman who now filled the Office of Secretary of State for the Colonies (Sir Michael Hicks-Beach) wrote to the Board of National Education in Ireland, putting before them two proposals with regard to the training schools. One was the proposal of Mr. Forbes' Committee in 1860, and the other was the proposal of the Royal Commission, headed by Lord Powis, in 1868. The right hon. Gentleman now the Secretary of State for the Colonies, in 1874, brought these proposals before them, with the purpose then pointed out by him, and with the desire that the assistance of the Commissioners of National Education should be given to devise some practical and reasonable scheme to remove the state of things which was an obstacle to giving a high standard of education to the Irish people. He was glad to see the right hon. Gentleman to whom he alluded then in his place, and he trusted that they would have his assistance in carrying out the objects which they had in view. The right hon. Gentleman declared then that it was necessary for carrying out the education of the Irish people that an alteration should be made with regard to the training of the teachers, and he submitted these two proposals, which were, to a great extent, identical in principle, and which would carry out the object of the hon. Member for Roscommon (the O'Conor Don). He trusted that this subject had been so long considered that they would have an assurance from the Government that night that the hopes of the Irish people would not be left uncared for. This matter was of very serious importance, for it should be recollected that every year which passed saw a number of the youth of the country pass away from these schools, and the whole of their future lives would be influenced for good or for ill by the education which they had there received. He did not think that anything could be more disastrous to the future well-being of the Irish people than that a system of training, which had been admitted on all hands to be defective, should be continued. They desired that that House should unanimously come to the conclusion that nothing could be more injurious than the existence of these schools which were not fit for their work; and he trusted that they would have an assurance from the Government that they would be ready to carry out the suggestions addressed to the National Board by the late Chief Secretary for Ireland. The National Board, in response to his application, put before him a scheme which had been detailed at length by other hon. Members; and he trusted that they would have some assurance from the Government that they would consider this question, and that they were prepared to deal with it. If they did so, he was sure that they would confer a lasting benefit upon the Irish people.

Mr. BRUEN observed, that the hon. Member for Roscommon (the O'Conor Don) had stated what he considered to be the evils in this system as it now existed, and what he proposed to do to remedy them. It was a very serious thing if any large number of teachers were not competent; but he (Mr. Bruen) did not think he could quite coincide with his hon. Friend in the remedy he proposed. He proposed, in fact, that the training of teachers should be taken from under the control of the National Board of Education, and should be committed to the care of independent voluntary bodies of persons. At present, the training of teachers was conducted under the control of the National Board, and not under the control of other bodies; and he must say that he gave his preference to the training institutions remaining under the control of the National Board. He did not, however, think that even if the training institutions for teachers were placed under the control, or in the hands of persons other than the National Board, the evils which his hon. Friend had pointed out would be remedied, for he thought the evils which he had noticed proceeded from an entirely different source from that which had been stated. He believed that the cause of there being so few competent teachers in Ireland was that the remuneration was so very small. The remuneration at present given to teachers in Ireland was perfectly inadequate to induce men to spend a certain portion of their lives in preparing to enter the service of the National Board, and afterwards continuing in it. The present training institutions trained a very considerable number of men; but it must not be supposed that the whole number trained ever became teachers. It had been noticed that out of those trained a very large proportion, for instance, of those educated at the training establishment in Marlborough Street never became teachers in National Schools at all; or, even if they did, they left the service very shortly, and got into other occupations. That fact showed where the evil laid, and that it was not in the institutions, or in their management, but in the want of inducement to teachers to remain in the service. Had he been in Order, he should have been inclined to move an Amendment, to the effect that it was expedient that additional inducements should be given to teachers to continue in the service of the Board, and that they should have increased remuneration. He believed if increased remuneration were paid to teachers, they would very soon have a sufficient supply of perfectly competent teachers. No doubt, this question was one of expense, and, of course, it was very difficult to come down to that House and ask for a larger supply of money for educational purposes in Ireland. He did not think that they would be driven to that necessity. The hon. Member for Longford (Mr. Errington) had told the House of the class of children that were educated in some of the model schools. He thought it would be a reasonable thing if some school fees were imposed upon those persons able to pay them, who sent their children to these schools. By that means, they would obtain sufficient money to increase the salaries of the teachers in Ireland without additional taxation. He did not wish to see these fees imposed upon the poorer classes, who were unable to pay for sending their children to school. There should be some provision that, whenever a person was not, in the opinion of the Board of Guardians, able to pay the school fees, then the school fees, or a portion of them, should be remitted. By that means, they would get such a sum of money as would be sufficient to offer a very material inducement to competent teachers.

Mr. MACARTNEY said, that there had been three attacks made upon the system of education in Ireland. One attack was directed against the University system; the second against the education represented by the National Schools; and the third, which was most likely to follow, was for the purpose of doing away with the present system of National Education, and introducing an entirely denominational education. The hon. Member for Roscommon (the O'Conor Don) had brought before the House a Paper containing the recommendations made to the Government in 1874, through the right hon. Gentleman who was now Secretary of State for the Colonies (Sir Michael Hicks-Beach). He (Mr. Macartney) was not surprised that the Government of the period did not act upon the recommendations made by a small majority of the National Board of Education in Dublin. Anyone who went through the Papers would see that opinions were very much divided upon that Board, and that three or four different plans were proposed. Ultimately, by a narrow majority, the recommendations were made which had now been brought to the attention of the House. For five years the hon. Member for Roscommon had thought it right not to take any step in the matter; but he had at length brought it forward. In the first place, it was proposed to establish training Colleges which should be entirely denominational, and that 75 per cent of the yearly expense of these Colleges should be paid by the State. The amount to be paid for these Colleges for the training of masters and mistresses was not to exceed 75 per cent of the total expenditure. The Motion did not say the total expenditure for teaching, but the total expenditure for the establishment of the Colleges. Thus, the State was to be at the expense of maintaining institutions of an entirely denominational nature, and was to pay three-fourths of their maintenance. The hon. Member maintained that in England and Scotland a large sum of money was contributed to denominational education; but he did not tell the House how much of the total expenses of the denominational education so afforded came from private sources, and how much from public revenues. If he had done so, he would have told the House that if 75 per cent was to be given in Ireland a very much smaller proportion was now given in England and Scotland. Another of the proposals made was that the candidates should be recommended for examination by the managers of the Colleges, or else by the patron or manager of the school. Hon. Members were not, perhaps, aware how the patrons and managers of National Schools in Ireland were appointed. In England, generally, the patron of the school was a person who had built it, or endowed it, or who paid a very large proportion of the sum required for its maintenance. In Ireland, the schools generally were of a very modest character, and had cost very little, and most frequently the patron did not contribute a single shilling towards the expenses of the school, and the school manager and patron were not in the same position as in England. The great majority of patrons—not the managers—were persons who paid nothing towards the maintenance of the school; but, notwithstanding that fact, it was proposed that those persons should give the recommendations for the training Colleges. The patrons were generally clergymen, either Roman Catholic, or, perhaps, of the Church of Ireland, or Presbyterian, and were very unlike the patrons in England, who had expended money, or contributed towards the maintenance of the school. The great complaint of the hon. Member for Roscommon was that the persons sent to be trained at the training school in Dublin were not enabled to remain there long enough. It seemed to him that it would be better to propose that they should be kept in Dublin for a much longer period, being maintained there by the same Body that now maintained them. If they compared the schools in Ireland under the control of private persons with the schools under the control of the Commissioners, it would be found that the latter would compare very favourably with them. He believed that anyone investigating the state of the schools in Ireland would find that the schools of which the sole direction was under the Commissioners were infinitely better conducted than those under private management. Experience taught that a transfer of the schools now under the control of the Commissioners to private persons would result in the infliction of a great injury upon education. He wished to refer to one question which his hon. Friend had made a main feature of his proposal. At one time during his hon. Friend's speech, he (Mr. Macartney) had thought he was about to suggest that the money required should be taken from some source such as was proposed in his University scheme—namely, the surplus revenues of the Church of Ireland. He (Mr. Macartney) thought that as he had proposed that source for University Education, he would propose that the money for the National Schools in Ireland should be derived from the same source. But he had not made that proposal, and had suggested instead that the expenditure on the National Model Schools of Ireland should be reduced. In his (Mr. Macartney's) opinion, these schools were of the greatest benefit to Ireland, and were the best feature of Irish education below the University. The Returns showed the efficiency of these schools in a very remarkable degree. They were largely attended; and he might mention that among a total of 29 schools about 500 pupils were educated in each school. The average attendance at the schools showed that they were by no means inefficient. He was confident that no better schools where classics were not taught existed. These schools were excepted from the operation of the Intermediate Education scheme, why he did not know. He was one that wanted them admitted; but they were not admitted to the benefits of the Act. The schools might be at a disadvantage as compared with others for one reason, and that was, they were not approved by the highest ecclesiastical authorities in Ireland. The ecclesiastics objected to the attendance at the schools of all who professed the Roman Catholic faith; but, notwithstanding the objection to them, the attendance at the schools was very good. What the hon. Member's proposition amounted to was, therefore, that, with a view to improving the education of Ireland, all the best schools should be swept away, and schools should be substituted which would be under the control and administration of the clergy. All other countries in Europe had, at the present moment, come to the conclusion that education should not be under the control of the clergy, and it was asked that Great Britain and Ireland should go upon a different principle to that which was now adopted in all countries which professed the Roman Catholic religion. He hoped and believed that this country would not be behind the French, German, and other nations, and that they would not, at this the closing part of the 19th century, take such a retrogade step as to establish denominational schools under the exclusive control of the Church of Rome.

Notice taken, that 40 Members were not present; House counted, and 40 Members being found present,

Mr. J. LOWTHER thought that the speech of the hon. Member who had introduced this Motion (the O'Conor Don), had been delivered to a House which was somewhat fatigued by the more animated discussion which had occupied the earlier part of the evening. Of course, it was more than could be expected from human nature to be proof against the serious attack which had been made upon their time during the last few nights. He was not surprised, therefore, at the Benches being empty, even when that interesting subject which the hon. Member brought forward was being discussed, and Gentlemen representing Irish constituencies, who they knew took great interest in this subject, were unfortunately prevented, from the causes to which he had referred, from being present in any number. He had been led to make these remarks from seeing that scarcely half-a-dozen Irish Members collectively were present at any time during the speech of the hon. Member for Roscommon, and those who followed in the discussion did not succeed in obtaining a better audience. The subject which had been introduced by the hon. Member for Roscommon had failed on that occasion to arouse any very great interest on the part of Representatives from Ireland; but it was, undoubtedly, a subject of very great importance. Perhaps its importance was insignificant compare with the question of Order or disorder, or with attempts to alter or vary the Forms of Procedure of the House; but, although a subject of less moment, it was one which, undoubtedly, commanded considerable attention. It was a remarkable fact that there were a vast number of untrained teachers employed in the schools of Ireland. That was a deficiency that called for very serious attention. The hon. Member, in enunciating that proposition, was upon very safe ground; it was not likely that he would find anyone to rise in his place and confute that statement. It was true, he proceeded to suggest the remedy for this state of affairs. There had been two remedies suggested with the view of meeting the difficulty, and yet of avoiding the alternative of an increased school grant. The hon. Member for Roscommon and the hon. Gentleman the Member for Longford (Mr. Errington) appeared to go into the matter very fairly upon the question of expense, and it might very properly be considered that that was an important element in dealing witht he subject. The hon. Member for Longford suggested, as he thought he was bound to do, some item for retrenchment which would justify the House, in what were popularly called bad times, in incurring any additional expense. The subject which the hon. Member had suggested for retrenchment was that of model schools. If the House had been in a more complete state than it was when the remarks were addressed to it, some other hon. Members might have competed in making suggestions with the hon. Member. He thought the hon. Member would have found also that many hon. Gentlemen would have risen in their places and expressed themselves strongly in favour of the model schools. He did not feel called upon to discuss to what extent model schools really carried out the specific work for which they were intended, nor how far many persons had taken advantage of public funds for obtaining an education to which they ought to contribute. It was not necessary for him to say more upon those subjects, but only to point out that the model schools were doing their work well, and that the subject should be well considered before they were abolished. With respect to National School teachers, their position had for some time engaged the attention of the Government; and he hoped, before many days were over, to be in a position to submit to the House a scheme, which he hoped would meet with its approval, for improving their position in life. That, of course, could not be done without some addition to public burdens, and without financial arrangements into which it was not then proper for him to enter. As they were aware, Parliament had then arrived at a very late period of the Session, when the time of the House was counted by moments, and it was impossible at that time to deal with any fresh subject. They must be all aware, from sources of information open to everyone, that there was a measure then engaging the attention of Parliament in "another place," which they might hope soon to have brought before them. He said this to show that the time of Parliament during the remainder of the Session would be fully occupied, and more than usually occupied, with the subject of education in Ireland. Therefore, he thought the House could scarcely be unprepared for his statement on the present occasion, which was that the Government was not prepared at the present time to enter upon this very important and by no means small field which the hon. Gentleman had opened out that night. He might, however, state that it was a subject which had been engaging the attention of the Government for some time; and if he could see his way at once, without raising any difference of opinion on the other side, to settle this question, he could assure the House that he should be glad to do so. Anyone must, however, see that if there were any proposal made it would be met with difference of opinion on one side; and where it was likely that a subject would meet with opposition from one Party or another at that period of the Session, the Government would not be justified in taking up the time of the House by bringing it on. At the same time, he could assure the House that the subject was one which would not be lost sight of by the Government; it would involve considerable financial arrangements when they came to approach it. The hon. Gentleman, by the discussion he had raised that night, had done good service; he had stated his views with great ability and clearness. He had succeeded also, in the interests of the public service, in illustrating the fact that this subject was not to be approached without great consideration, and that it would occupy more time than the Government felt at that moment was at their disposal.

Major NOLAN remarked, that hon. Members must be very glad to hear that the Government were going to do something for the National School teachers of Ireland. That was the only bright spot in the otherwise gloomy speech of the right hon. Gentleman the Chief Secretary for Ireland. If the Government were going to introduce a scheme for the benefit of National School teachers, a great advance would be achieved in primary education; and he did not think that so long as they were going to do something the Government was open to very much censure. The points brought forward by the hon. Member for Roscommon (the O'Conor Don) were very important. In telling the House only that the Government were going to do something for the National School teachers, and in not going into any of these matters, he thought the Chief Secretary for Ireland had been playing with the House. The Chief Secretary had said nothing of any sort or kind about the Motion, except that something was to be done for the school teachers, and that the subject would be considered. Amongst the very vague promises offered them, there was, as he had remarked, the only bright spot, that something was to be done for the teachers. The present Government had been in Office six years, and he thought it time they did something for Ireland, as it was now said they were going to do. He would remind them that this was the last Session that they could be put off with mere promises, and that the time had come when these matters must receive attention.

Colonel COLTHURST wished to say one word with respect to the cost of training school teachers. Every pupil trained in the school college at Dublin cost £50 a-year. The English system gave a great deal more freedom, and cost £60 a-year per teacher. But there was this difference with regard to the result of the English system—no one was paid in England until two years' training had been completed, and, more than that, until two years had been passed in teaching, and the teacher had been reported upon favorably. At the College in Marlborough Street, a teacher received £50 a-year during the first two years of his career, whether he afterwards became a teacher or not. The cost of the English system, which had so many advantages was, therefore, only one-fifth more than the cost of the Irish system. Some remarks had been made with regard to the managers and patrons of National Schools in Ireland having expended very little money, and, therefore, not being deserving of much consideration; but hon. Gentlemen forgot that the reason for this was, when the National system was introduced into Ireland the landowners set their faces against it, and not only would not contribute, but would not dispose of their land for the schools. In consequence of that, the Catholic clergy were obliged to collect money from their poor parishioners in order to provide schools; and in too many cases these schools were, from the nature of things, miserable edifices. That was one of the reasons why National Schools in Ireland were in so unsatisfactory a state.

THE O'CONOR DON believed he had no right to reply; but just wished to say, in consequence of the answer given by the right hon. Gentleman the Chief Secretary for Ireland, that as he did not perceive, in the answer he had made, any sort of promise that his desire would be carried out, he could not but express his feelings in a Division. He thought the measure should be pressed, especially as it had been before Parliament ever since the year 1874.

Question put.

The House *divided*:—Ayes 64, Noes 48: Majority 16.—(Div. List, No. 161.)

Main Question proposed, "That Mr. Speaker do now leave the Chair."

Motion, by leave, *withdrawn*.

Committee *deferred* till *Monday* next.

House adjourned at a quarter after One o'clock till Monday next.

Colonel Colthurst

HOUSE OF LORDS,

Monday, 14*th July*, 1879.

MINUTES.]—SELECT COMMITTEE—*Report*—Land Titles and Transfer [No. 145].

PRIVATE BILL—*Report*—London Bridge *now* London Bridge Approaches*.

PUBLIC BILLS—*First Reading*—Customs Buildings* (146); Slave Trade (East African Courts)* (147).

Second Reading—Marriages Confirmation (Her Majesty's Ships)* (124).

Committee—Report—Sale of Food and Drugs Act (1875) Amendment* (127); Civil Procedure Acts Repeal* (132).

Report—University Education (Ireland) (134).

Third Reading—Wormwood Scrubs Regulation* (128), and *passed*.

BRENTFORD AND ISLEWORTH TRAMWAYS BILL.

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."

LORD TRURO moved the rejection of the Bill on the ground that the population of the district was insufficient to support the line, and that there was no traffic of sufficient extent to make it remunerative. The line was only the middle part of a projected line, the two extremities of which had been rejected. It was, moreover, of such a length—one mile and a few chains—as to render it unavailable for any useful purpose, and the road on which it was to be constructed was only 24 feet in the broadest part, and 17 feet in the narrowest. Therefore, a tramway on such a road would be an obstruction and inconvenience.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) asked how it was that the parties who objected to the Bill had not appeared to oppose it before the Select Committee?

LORD TRURO said, the parties who objected to its construction had no *locus standi*, and, therefore, had been unable to appear against it. He moved that the Bill be read a third time that day three months.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) thought that after the statement of the noble Lord further consideration of the measure was desirable.

Motion (by leave of the House) *withdrawn.*

SLAVE TRADE—SOUTH EAST COAST OF AFRICA.—OBSERVATIONS.

EARL GRANVILLE said, there was a matter of great interest with regard to which the public would be glad to have some more information than they possessed at present. He referred to the Treaty with the Sultan of Zanzibar for the suppression of the Slave Trade in that part of the African coast over which his influence extended. It was known that though the Sultan had at first refused some pressure to induce him to agree to the Treaty, yet that since his agreement to the Treaty he had not only fulfilled its conditions to the letter, but he had gone beyond them. If the Government could give some decided information on the point, it would give satisfaction to the country.

THE MARQUESS OF SALISBURY: There can be no doubt that the persuasion which has been brought to bear upon the Sultan of Zanzibar in this matter is one of the most successful operations on record. The Sultan's conversion to the noble Lord's views has been complete. The Sultan signed a Treaty, and since that he has given a most hearty and cordial co-operation in the suppression of the Slave Trade in those regions. We have acknowledged this conduct on the part of the Sultan on several occasions, and recently by presenting him with a considerable number of Enfield rifles—the substantial form in which we have recognized his thorough good faith. But I merely refer to this as showing that we are not insensible to the valuable assistance we have received from the Sultan, and let me add that if slavery is ever to be completely suppressed there, it will, no doubt, be owing mainly to his co-operation.

TREATY OF BERLIN—EVACUATION OF THE PROVINCES.

MOTION FOR AN ADDRESS.

LORD CAMPBELL, in rising to call attention to the Correspondence on the affairs of Turkey and the present position of matters with reference to the Russian evacuation of the territory on this side of the Pruth, and to move an Address to Her Majesty on the subject, said: My Lords, I know how hard it is to draw attention to the subject of this Notice when the mind of Parliament is agitated by another set of circumstances. At present, except upon South Africa, the grief it has occasioned, the vicissitudes it offers, nearly everyone is doomed to find unwilling ears, or make unwelcome observations. I will, therefore, pass at once to a few details, which may be easily recalled, and which, at least, show that the topic now before us is appropriate and necessary to the moment. It is now the 14th of July. On the 3rd of August, the whole of the foreign territory occupied by Russian Armies ought to be evacuated. Nothing has been said of late as to their movements. The journals are nearly silent with regard to them. According to a paragraph which has reached me from Constantinople, so late as the 25th of June two regiments were still in East Roumelia. Whether the great body are there, or in Bulgaria, or concentrated between the Danube and the Pruth, if known at all, is only known to the Government. My Lords, we should remember, here, the evacuation had two stages, according to the 22nd Article in the Treaty of Berlin. The first stage was not completed at the period assigned for it. I cannot venture to repeat what has been said before in this House upon the subject, or go back to a controversy with which, perhaps, your Lordships are fatigued; but the more it is examined the clearer it becomes that, at the end of nine months, East Roumelia and Bulgaria ought both to have been quitted. Such, I am convinced, was the original impression of the Government, as it appeared to be the language of their Representatives and organs. A deficiency having occurred upon the first stage, not only suggests a deficiency upon the second, not only offers a temptation to it, not only raises a specious argument in favour of it—which it would be imprudent to exhibit—but really makes it harder to avoid it. If Russian troops had not remained beyond the legal time within the territory of the Sultan, the three months allotted as a margin would have more easily sufficed to march across Roumania, as the Treaty contemplated, or, if that method was preferred, to gain

Odessa from a port of embarkation. On the whole, then, there is little reason to anticipate the final exit on the 3rd of August, without new efforts to obtain it. The Address which I submit, although no censure is involved in it, would be an effort of this kind. It would unavoidably sustain the efforts which the Government are making, or hasten those they are preparing. Had something of the kind been done in the middle of April, we should probably have now been in a different situation. But it would then have had the aspect of gratuitous, and thus of hostile, admonition. It is now dictated by experience of something which has happened, and of something we regret. My Lords, although I have not spoken very long, the whole case is now, in some degree, before your Lordships. Everyone can see that the observance of the Treaty on the 3rd of August, after the damage it incurred on the 3rd of May, is, *primâ facie*, improbable. But doubt may possibly arise as to the importance of delivering the territory, whether it is termed Roumania, or Moldavia and Wallachia, at the stipulated period. Men may ask whether it is worth while to be tenacious, however justly, on the point, after the great events and hazards they appear to have surmounted? The answer is—that the War of 1854 was brought about by nothing but the occupation of the Danubian Principalities. When that occupation ceased peace might have been negotiated, although a separate attempt, a new departure, was resolved on. The alliance of France, Sardinia, and Great Britain, the Expedition which left our shores, the resolution to embark on war after an interval of 40 years—these new and mighty elements of policy—had, as their immediate aim, to clear from Russian Armies the Danubian Principalities; although, according to the Czar, those Armies were not directed against the integrity of the Ottoman Empire, any more than the existing ones profess to be. Indeed, it is remarkable that on the day when Russia passed into Moldavia in 1853, as Mr. Kinglake, the historian, has mentioned it, the four Powers, then acting together, sent out their protest to discountenance the movement. We have, therefore, their authority, with that of Lord Clarendon, Count Cavour, and Napoleon III.—who cannot be forgotten in this country—for maintaining that the occupation of the Danubian Principalities—whatever object is assigned to it, whatever mask it may assume—is not a state of things which Europe can assent to. If it was dangerous in 1853, it is now far more so. At that time, the line of the Danube was protected by considerable Armies, with so great a Commander as Omar Pasha to direct them. Beyond, there was a quadrilateral of fortresses, of which Silistria made itself immortal. An Army of the present Czar, in the Danubian Principalities, has nothing to intercept a march upon Sophia, unless it is a new Bulgarian Militia, which his policy has organized. Diplomatists and strategists would equally admit that the occupation of the region can less than ever be regarded with indifference. Indeed, we should remember that if it lasts a day beyond the 3rd of August a European war is justified. What justifies a war is not certain to produce a war; but it involves a fatal bar to the tranquillity so requisite to every branch of industry and commerce at this moment. My Lords, it is now worth while to reflect upon the many interests, the many recollections, which tend to a delay of the withdrawal, unless your Lordships counteract them. One ground of the reluctance to be reckoned on is connected with the position of Austria in Herzegovina and Bosnia. I leave the House to reason on the subject. To pass on, influence at Bucharest has long been assiduously cultivated at St. Petersburg. To sway the counsels of Tirnova or Sophia is a newer and, perhaps, a keener aspiration. To govern indirectly at Constantinople was an aim of Russia long before, and cannot be renounced when she has nearly been established in that capital. These objects all suggest to her delay in the withdrawal. It is encouraged by the many triumphs over the rest of Europe her Government has recently obtained, whether in luring towards her Continental States which had formerly opposed her; or in suspending wholly the resistance of this country to her efforts; or in finding zealous partizans among the authors of the War in the Crimea; or in proving the futility of Treaties to restrain her from encroachment; or in gaining at Berlin, twice over, nearly all that she was seeking; or in reducing the balance of power to a collapse unparalleled in history. Another strong consideration for the delay of the withdrawal arises from what is going on in South Africa. We have there, apparently, a Force as large as went out in 1854, however different may be the objects in their magnitude. We have there the military leader whom the public is most inclined to depend on. We have there the passions and the energies which any other struggle would require; and there we seem to be exhausting all the spirit of the country. Last of all, delay of the withdrawal is encouraged by the inevitable lassitude the Eastern Question has occasioned in the Legislature, after attention has been so long, exclusively, and painfully devoted to it. If any other proof is wanted of the Russian disposition, the Treaty of San Stefano reveals it. The Treaty of San Stefano includes an occupation of a year beyond the length eventually conceded in the Treaty of Berlin. But the Correspondence of this Session—which the Notice has adverted to—is one continued illustration of the tendency to enlarge the Treaty of Berlin into the Treaty of San Stefano. If thus, my Lords, the risk we have to deal with is established, an Address of the kind which I submit must prove at once that a large class in the United Kingdom—and not an unenlightened one—regard the matter with solicitude. Indeed, the very language of the noble Earl the First Lord of the Treasury, when he came back from Berlin, would be sufficient to defend it. At that time, the noble Earl, according to the ordinary channels, stated as the great political conclusion to which he had been led by so remarkable a Congress was that the language of Great Britain ought to be more distinct as regards the line of action she desires to promote upon the Continent. No doubt, the lesson has had many illustrations. Had her language been more distinct in 1853, it is notorious that the costly struggle which ensued might have been easily avoided. Had her language been more distinct in 1873, the three Powers would have paused before advancing in their scheme against the independence of the Ottoman Empire. In 1877, the lesson was repeated. Had the language been more distinct some months ago, Russian troops might not have lingered after the 3rd of May in East Roumelia and Bulgaria. Unless it is now distinct, you have not any reason to assume that an occupation will be terminated as you wish, when there are keen and nearly irresistible temptations to prolong it. But, still, it may be asked whether this House ought to declare itself? My Lords, during five years the Eastern Question has perpetually occupied it. Numerous debates have taken place, and they have been initiated in a great diversity of quarters. Some noble Lords have come forward as the special patrons of the races subject to the Porte, some as the converted and little-qualified adherents of St. Petersburg, some as the avowed supporters of what was done in 1856, so far as it was possible to guard it. But at no time in a drama so eventful has the House been permitted to exercise the influence over arrangements without which discussion seems to be a mere parade of knowledge and of argument. So far as my memory recalls it, in the whole transaction which has occupied us in so many of its phases, nothing has been brought about as yet, or been averted by your Lordships. Neither as regards the vassal Principalities, the Herzegovinian insurrection, the more momentous conflict which ensued, the settlement which followed it, has the voice of this House been fruitful or effective. At length, it may exert itself in such a way as to promote the deliverance of all the European Powers from a considerable peril. Had the Government succeeded in effecting the first departure at the proper time, there would be, of course, no ground of interference from your Lordships. As they did not succeed—however little we reproach them for it—such interference is legitimate. It is the conclusion of experience; it is the step of prudence; there is not any title to resent it. It would be a fitting close to the long, the agitating, but hitherto the unproductive toil your Lordships have devoted to the subject. It may be asked, perhaps, still more particularly in what manner the Address would tell on Russian counsels, should it be the pleasure of your Lordships to adopt it? Looking to what is known of the interior, and what our meditation would suggest to us, there are probably two parties at St. Petersburg—one desirous to close, the other to extend the occupation. One would dwell on the recent discontent, not less alarming because deprived of any regular expression, the commotion which has taken place, and the transition which appears to be preparing, as a reason for bringing home the Forces of the Empire. The other may refer, with greater accuracy than I have done to-night, to all the grounds of distant policy which are calculated to prolong the tenure we object to. Except upon particular occasions, divided judgment seems to be the chronic state of Governments and Empires. The action of the House would clearly strengthen the Party who support the execution of the Treaty. It would throw weight into the scale, which at this moment may only want a little to establish the preponderance we aim at. By this view, also, an answer may be given to the only possible objection—namely, a reluctance to evince distrust in the governing authority of Russia. Reluctance to evince distrust when long experience creates it, is not the most intelligible part of statesmanship and wisdom. But let this be forgotten. Let it be granted that on special grounds the governing authority of Russia is entitled to the deep consideration of the Legislature. But if the Sovereign of Russia is forced to oscillate between two sets of contradictory advisers, to uphold the more enlightened set is thoroughly in accord with the imagined obligation. It is a boon, because it tends to shorten painful indecision. It is a boon, because it tends to bring about the choice of safety and of honour. It is a favourite topic in some quarters that for many errors into which Russian policy is drawn the ruling power is not to be considered as accountable. The noble Marquess the Secretary of State for Foreign Affairs (the Marquess of Salisbury) not long ago explained that much of what we are accustomed to protest against arises in that country, because no Department is acquainted with the conduct of another. It has been often pointed out that military leaders distinctly arrogate a power independent of the Government they theoretically act under. Distrust of Russian policy is not, therefore, distrust of the legitimate authority, but of something undefined—of something dark, of something surreptitious, which that authority is not sufficient to contend with and to master. But if, upon the other hand, men do hold the governing authority responsible for all that has been done from the Crimean War down to this moment, they certainly are not required to withhold any step which is calculated to enforce the Treaty of Berlin and to release the territory occupied, because it may not be acceptable at St. Petersburg. The noble Marquess may point out that movements have taken place which insure the retreat by the 3rd of August, although they have been studiously concealed from us. He will not probably recur to the position that Treaties are mechanically sure to execute themselves; that their spontaneous force in the discharge of obligations may be thoroughly relied on; that they do not want the slightest vigilance to guard them. Prepared to listen to anything by which it may be shown that such a course is not essential to its object, I move the Address of which I have given Notice.

Moved that an humble Address be presented to Her Majesty praying Her Majesty to exercise her diplomatic influence in the manner best calculated to secure the complete evacuation by Russian troops of all territory on this side of the Pruth, whether belonging to the Sublime Porte or to Roumania, at the time stipulated in the Treaty of Berlin.—(*The Lord Stratheden and Campbell.*)

The Marquess of SALISBURY: I trust I shall be able to give a satisfactory answer to the noble Lord; but I am not quite certain of the subject, for I am not absolutely sure what the points of the noble Lord's observations were. He was exceedingly discursive, wandering over a wide extent of territory. The number of troops we have in South Africa, the operations of Omar Pasha in 1853, the Crimean campaign, the state of Russian politics, the division of parties in that country, and the proceedings which took place at Berlin—all successively had the honour of his attention. I am not quite certain whether I have accurately summarized the points which the noble Lord wished to bring before the House. But as I understand it, it was this—that the Russians had been guilty, as he expressed it, of inefficiency in the evacuation of the territories referred to, and that in consequence we could not trust them for the future; and he fears that they will not fulfil the Article of the Treaty of Berlin which binds them to evacuate all the territory West of the Pruth by the 3rd of August. As I understand, the noble Lord's solicitude is engaged mainly upon the position of Roumania, and the probability that if Russian Forces continue to occupy that Province there will be danger that this country would be involved in war. I do not think there is much danger of any continuous occupation of Roumania; because, by the information I have received within the past two or three days from Mr. Comberbach, the acting Representative of Her Majesty in that Principality, I learn that there is no Russian soldier within the confines of Roumania at this moment. With regard to the fulfilment of that Article of the Treaty of Berlin which binds Russia to have none of her soldiers West of the Pruth by the 3rd of August, of course, I have not the gift of prophecy, but I can only say I have received the most positive and distinct assurances from the Russian Government, and when I saw Count Schouvaloff the other day he repeated these assurances in the most distinct manner. All the information I have received from Her Majesty's Representatives in these countries, though I am unable to say what is the exact number of Russian troops West of the Pruth, leads to the belief that they are comparatively few, and that they are rapidly moving to the ports from which they are to embark. I understand that Philippopolis was yesterday to have been entirely denuded of all the Russian troops there, and that they are moving upon Varna and Bourgas, where they are to embark. All the indications which have reached me lead me to believe that by the stipulated time the Russian troops will have left all the territory West of the Pruth, and I have received no indication pointing in an opposite direction. That is the only answer I can give. The noble Lord appears to attach more force to these Motions than they really possess. He is pursued by remorse because he did not, in April last, bring forward a Motion of this kind, in which case he thinks the period of the evacuation would have been materially altered. I think it my duty to convey some consolation to the discontented mind of the noble Lord.

LORD CAMPBELL said he had never made such a statement.

THE MARQUESS OF SALISBURY: If he had made the Motion, the noble Lord believes the course of things would have been materially altered. However, I can assure him that if he had made any number of Motions things would have been not in the least different, and I do not believe this Motion will have much effect in influencing the movement of the Russian troops or asserting the policy of the Government. I think any Motion indicating an unnecessary tremor upon the part of the House had better not be put from the Woolsack, and, for my part, if it is put I shall say "Not-content."

LORD HOUGHTON said, he had heard with great satisfaction from those who could speak with authority that the hostile population of Roumania were settling down into a state of tranquillity, and consequent prosperity, to a degree almost beyond what could have been expected by the most sanguine among us.

LORD CAMPBELL, in reply, said, that no importance ought to be attached to the contemptuous manner in which the noble Marquess the Secretary of State for Foreign Affairs was equally disposed to treat his friends and his opponents. The noble Marquess had at first attributed to him (Lord Campbell) remorse; but, in point of fact, the self-reproach which the noble Marquess had incurred for too easy acquiescence in the first departure from the 22nd Article could alone explain the uncalled-for acrimony he had introduced into the discussion. The confidence of the noble Marquess in the opinion that the Russian Army would pass over the Pruth by the 3rd of August did not seem to be greatly backed by the admission that it had not yet entered the territory of Roumania. But no one was so much interested in the final execution of the Article as the noble Marquess. While he declared himself convinced that the Address proposed would not conduce to that result, the House would naturally be unwilling to adopt it. If the retreat by the 3rd of August took place, the debate would have promoted it; if it did not, the responsibility of the Government would be much enhanced by the proceedings of that evening.

Motion (by leave of the House) *withdrawn.*

UNIVERSITY EDUCATION (IRELAND) BILL—(No. 134.)

(*The Lord Chancellor.*)

REPORT OF AMENDMENTS.

Order of the Day for receiving the Report of the Amendments, read.

Moved, "That the said Report be now received."—(*The Lord Chancellor.*)

Lord EMLY: My Lords, it is, I think, unfortunate that this Bill, in its various stages, has not been put down as the first Order of the Business of the Day, and that, consequently, very little time has been allowed to your Lordships to discuss the measure thoroughly. I am not so presumptuous as to imagine that any suggestions of mine could have any weight with Her Majesty's Government; but still, as a witness, I may, perhaps, claim some authority as to what the grievance is under which those who conscientiously reject to reside in Trinity College or the Queen's Colleges suffer, and as to how far this Bill, if passed into law, will remove that grievance. As I wish to detain your Lordships for as short a time as possible, I will confine my observations, as far as I can, to the statement made by the noble and learned Earl on the Woolsack on Tuesday last. The noble and learned Earl claimed, as a merit for the Bill, that it allowed no affiliation of Colleges; and, secondly, that University Education could not be placed under the same amount of strict control as Intermediate Education can; and that a Conscience Clause could not be applied to it. Consequently, in the opinion of the Government, the principle of the intermediate schools could not be applied to University Education. The first of these propositions shows that the noble and learned Earl fails to comprehend the grievance with which he proposes to deal. The second, that, in his judgment, the only possible means of redressing that great grievance cannot be applied to it. I think I correctly sum up the result of Tuesday's debate, when I say that noble Lords on both sides of the House who took part in it advocated the principle of educational equality in Ireland—in other words, that the same educational opportunities should be open to those who, by conscientious convictions, are prevented from availing themselves of the existing Universities which are enjoyed by their fellow-countrymen. I am not going at any length into the controversy as to whether this Bill would, if it became law, confer any benefit on those for whose relief it purports to be intended. I agree with my noble and learned Friend near me (Lord O'Hagan) that this Bill confers no benefit at all. It is quite true that the fees for non-resident students in Trinity College are 16 guineas a-year; but all the prizes and honours of Trinity College are open to those students; whereas, under this Bill, not a single prize or reward, such as the students of the Queen's Colleges enjoy, is open to students who are to be admitted to the new University. I ask whether this is a step towards educational equality? We are to be united with the Queen's Colleges, and to be as Pariahs — to carry about with us the marks of our inferiority. I believe, further, that the degrees of the London University would be more valued than degrees conferred by this new University; and though the noble and learned Earl says degrees cannot be procured in Ireland, except by the students of Colleges, whereas a Roman Catholic living anywhere may get degrees under the new University, he shows that he has not made even the faintest approach to understand what we want. My Lords, what we ask for is educational equality, and not the mere empty title of a degree. This is open to us now; but that robust formation of character, those ennobling associations, the concentration of each Professor with his own subject, can only be had in a College—unless you give College life and College training you give us nothing. Cardinal Newman, an authority than which none, I am sure, in the opinion of your Lordships, can be higher, somewhere contrasts the so-called University Education, which dispenses with residence and tutorial superintendence, and gives its degrees to any person who passes an examination in a wide range of subjects, with a University which had no Professors or administrators at all, and expresses the opinion that the latter would be more successful than the former in moulding and enlarging the mind. I am sure your Lordships' experience renders any lengthened argument on the subject unnecessary. A friend of mine, a man of great ability, who, though young, has attained one of the highest positions in the country, went up for examination in Trinity College. He had received all the training which could be given to him in the country, and still he got no prize. After this he came to reside in Dublin, and studied under the Professor of Trinity College; and he for three successive years got every honour that was open to him. Turn to the calendar of the London University, and your Lordships will find, out of 18, 15 in the Bachelor of Arts' examinations for mathematics, who got the first places for their respective years, had an education at Oxford and Cambridge. If we look around, the same phenomenon presents itself. I assert, therefore, without fear of contradiction, that unless you give those who are excluded by conscience from Trinity College and the Queen's Colleges the means of having a College of their own, with richly-endowed Professorships, with libraries and museums, you do not place them on a level with their fellow-countrymen who enjoy those advantages. Examinations for those who have not had the opportunity of Collegiate Education are excellent as a supplement to a University system. They are the only ways of providing for minorities. But to offer such a system to the majority of the Irish nation, particularly when the minority have the better way provided for them, seems to me little less than trifling with a great subject. I agree with what the noble Marquess opposite said as to bit-by-bit reform. When the Secretary of State for the Home Department, in the other House, intimated this Bill, I exhorted my Friends to accept it, if it should be found to contain any real concessions. But although it is a good thing to make any step on the road we wish to travel, I object to be led into a bye-path which terminates in a bog, where I am to have my legs and arms powerless, while those with whom I have to contend have full play of their limbs. I come now to the second point in which I take exception to the noble and learned Earl's speech. I adhere to the mode of settling this question I proposed some 13 years ago in the House of Commons. I wish to see the Irish Act of 1793, enabling a new College to be erected in the University of Dublin, so amended as to allow a Catholic College to be established there. I should like to see the students of this College vie with one another for University honours, associating together as the men of Oriel and Christ Church used to associate when I was at Oxford. This scheme seemed once likely to succeed. It was looked on with favour by many of the most distinguished men of Trinity College; but they have yielded to the seductive voice of Mr. Fawcett, and the day for its adoption, I fear, has passed, and I, therefore, have given my entire adhesion to the proposal suggested by the Irish Government, and accepted by the Catholics so entirely, that with honour they could not recede from it. In one word, the plan was to apply the principle of the Intermediate Education Act to University Education. It was intended to give power to the Senate of the University to be created, to limit the number of Colleges to be affiliated, and to allow no result fees to be paid for any but the students of affiliated Colleges. Thus, the teaching power, of which we have not a superabundance in Ireland, would have been concentrated, not scattered. I ask the noble and learned Earl to explain why there should not have been a Conscience Clause imposed on those two, or three, or four Colleges, and why every provision and control in the Intermediate Education Act should not have been applied to this? Would this plan have endowed religious education? Why, the Bill contained a direct prohibition to pay one halfpenny for religious education. Was this prohibition nominal merely, or was it real? Look at the safeguards by which it was surrounded. The Senate was to be lay and mixed, composed both of Catholics and Protestants; the subjects were to be fixed by the Senate; Examiners were to be appointed by the Senate; not a shilling could be paid except on account of passing an examination on subjects fixed before Examiners so appointed. Secular education is the article wanted, and secular education alone would be the article paid for. Are you responsible, my Lords, for the character of the establishment where you buy your clothes? Do you refuse to take your sugar or your tea, because it is produced in a slave-holding country? If the State gets that which it asks for, I submit that it has no responsibility as to the character, religious or otherwise, of the factory where it is prepared. The noble and learned Earl recited my right hon.

Friend's (Mr. Gladstone's) strong denunciation of concurrent endowment. We have also the advantage of having Mr. Gladstone's strongly-expressed opinion that the principle of the scheme I am discussing in no way involves concurrent endowment. Last year, in a discussion on the Intermediate Education Bill, Mr. Gladstone used the following language:—

> "I do not feel, therefore, so far as I am concerned, seeing that I have never given direct or indirect support to the endowment of a Roman Catholic University, that I am involved, by assenting to the principle of this Bill, in any inconvenient consequences in assenting to University education in Ireland; while, at the same time, I can conceive that a large part of the practical grievance which I believe to exist in Ireland on the subject of University education in Ireland as it did exist six or eight years ago, when we endeavoured to remove it, may be removed by acting upon the principle of this Bill. Well, then, Sir, the principle seems to be in conformity with that for which we have long contended—that no man, on account of his religious opinions or preferences is, as to education, to be placed in a position of disadvantage as regards secular knowledge, or any of the honours and rewards which may be assigned to a secular knowledge by the wisdom of Parliament."—[3 *Hansard*, ccxli. 1499-1500.]

We have, therefore, Mr. Gladstone's distinct denial that the principle of this scheme involves the consequences the noble and learned Earl attributes to it. The noble Earl the Prime Minister has received a declaration in favour of this scheme signed by every Catholic of position, professional or otherwise, in Ireland. It has, in its main features, received the support of the Leader of the Opposition. Let me put this question to you, my Lords. If the Presbyterians of Scotland laboured under the crushing grievance of which we complain—if the organs of the Government in Scotland had proposed a scheme for remedying this grievance—if the Leaders of the Opposition had shown themselves favourably disposed to it—if every Presbyterian in Scotland, from the Duke of Argyll to the smallest medical practitioner in the Highlands, had accepted it, and if it had been defeated by the agitation of a knot of Irish Catholics, would Scotland be a country very easy to govern? How can you expect loyalty in Ireland, if you adopt a course towards her which, if adopted there, would extinguish loyalty in Scotland? I am afraid, my Lords, that the course pursued by the Government of raising expectations on this subject, and then dashing them to the ground by this Bill, which is hardly worth the paper on which it is printed, can have but one result. It will kindle again the smouldering embers of Home Rule, and it will revive and excite agitation in a country which, above all things, requires peace.

Lord WAVENEY rose, and had commenced to address the House, when——

Earl GRANVILLE interposing, said: There are a great many noble Lords sitting with me on these Benches who think such an important question as that raised by the noble Lord (Lord Emly) deserves an answer of some kind or other from Her Majesty's Government. The other day I addressed to the Government what appeared to me a not unreasonable question, and I got from them absolutely no answer. My noble Friend, who has every right to speak, especially on a subject of Irish interest, has made a most telling speech on this question, and I am surprised that Her Majesty's Government should think it respectful to your Lordships' House to drop the subject without offering any remarks upon it at all. The noble Lord has given a distinct challenge with regard to a plan formerly proposed by the Government, and since entirely abandoned by them. It tempts me almost to think that there are such persons as Conservative Circassians; but I do trust Her Majesty's Government will consent to give an answer to the statement of my noble Friend.

The LORD CHANCELLOR: I must first point out to the noble Earl the grave irregularity of which he has been guilty. I must say that I have never witnessed a greater irregularity in your Lordships' House. The noble Lord (Lord Waveney) behind the noble Earl (Earl Granville) got up, and had commenced his speech, when the noble Earl the Leader of the Opposition rose in his place, not upon a point of Order, but because he thought fit to regulate the course which the debate should take. All I will say is that it would have been, and it will be, my duty to make some observations on the speech of the noble Lord (Lord Emly) at the proper time; but the noble Lord (Lord Waveney) was in the act of putting a Question, when he was interrupted by the noble Earl.

EARL GRANVILLE: I was not aware that the noble Lord behind me was going to speak on the general question. I thought he was about to move an Amendment.

LORD WAVENEY was understood to ask whether ladies would be admitted to degrees under the Bill.

THE EARL OF BEACONSFIELD: The noble Earl the Leader of the Opposition has, acting under a considerable misapprehension, been induced to take a course which I believe is not very usual in this or any other House of Parliament. The other night, when the noble Earl complains that no answer was given to his observations—referring, I believe, to me personally—he forgets that on that occasion his observations were personally addressed to my noble and learned Friend on the Woolsack. Again, this evening, the noble Lord who introduced this subject (Lord Emly) particularly addressed his remarks to my noble and learned Friend on the Woolsack, and called upon him to explain a statement which he had made to the House before, and vindicate some assertions that he had made on the same occasion. It certainly appears strange that the noble Earl the Leader of the Opposition should blame the manner and the mode in which we think it wisest to allow the debate of this measure to proceed. I shall leave my noble and learned Friend to answer the questions that have been particularly addressed to him. But I must advert to the extraordinary speech of the noble Lord who introduced the discussion to-night. I can only say that I listened to that speech with amazement. Nothing of the romance in which the noble Lord appeared to be indulging is known to me. We know nothing of this negotiation—nothing of these schemes or plans proposed by us—no proposal was ever authorized by me, either directly or indirectly, on the subject; and I do not know upon what authority he makes the statement which he has made to-night. I must, on my own part, entirely repudiate it — and I feel sure that my Colleagues would equally repudiate any knowledge of it. I think it is only due to the House that the noble Lord should give his authority for making it. If he made it on the strength of confidential communications, he must use his discretion as to the course he may adopt; but, so far as I am concerned, I entirely free him from any awkward feeling he may have on that head. The whole narrative of the noble Lord appears to me, as far as I am individually concerned—and I believe I may speak also with the same clearness and firmness for my Colleagues—one which relates to circumstances of which we are ignorant; and I can only say that, so far as we are concerned, there is not the slightest foundation for the extraordinary statement which, according to his noble Leader in this House, has been a most effective speech. Certainly his statement is one which would very much tend to rouse the passions of your Lordships, and to cause a view of this important and interesting question to be taken for which there is no foundation, and which, to my mind, may occasion much inconvenience in the future discussion of this subject.

LORD EMLY was understood to say that he had not spoken of Her Majesty's Government, but of the Irish Government, and that he had himself seen the proposition to which he had referred. He repeated his statement, that, in his opinion, it was supposed in Ireland that the Government had adopted a Bill founded on that proposition, and it would have been highly dishonourable on the part of the heads of the Roman Catholics in Ireland if they had opposed a measure which they had themselves accepted.

THE LORD CHANCELLOR: My Lords, before I answer the statements in the speech of the noble Lord (Lord Emly), I hope your Lordships will allow me to make an explanation of the statement which I made on a former evening, and which, in some quarters, appears to have been misunderstood—I mean in reference to the Dublin University. In speaking of the Dublin University, I stated it was local in its operation; but I was not speaking in disparagement of the University — I meant, as is the case with the Durham University, that it was local in the sense of being mainly resorted to by the inhabitants of the Northern parts of the country, and I did not intend any opinion unfavourable to the great work in which the Durham University is engaged. I desire also to answer a question put to me by a noble Lord who spoke second this evening (Lord Waveney). I may say that the Bill which we have introduced contemplates, in the preparation of the Charter, words almost identical with the words which are found in the Supplemental Charter of the London University with regard to conferring degrees upon women. We propose that the Senate of this new University shall hold examinations and grant certificates and degrees; and it will, of course, be the duty of the Senate to make rules and regulations for that purpose, which it would be out of place to do in this Bill. The noble Lord who commenced the discussion (Lord Emly) said that the want of those whose interests he represented was not the power of obtaining degrees—that they had already by means of the Universities of Dublin and London—therefore, the noble Lord says this Bill confers nothing. Now, with regard to Dublin University, I have always understood that the argument of those whom the noble Lord represented was, that it was a grievance to be complained of that they should be obliged to obtain a degree from Dublin University. A degree can, no doubt, be obtained without residence from the Dublin University; but in order to do so it is necessary to make an annual payment, which amounts to almost as much as the fees of a moderate College; and two examinations must be passed in the year, which were not general examinations to ascertain general proficiency in literature, but to ascertain proficiency in the particular and specific books which were required in the curriculum of Trinity College, and not in the curriculum of studies of those whom the noble Lord represented. As to the London University, no doubt, it can hold examinations in Ireland; but, in the first place, it is a matter of expense; and, secondly, it is a matter of finding centres at which a sufficient number of students can be collected for examination. Having denied that the difficulty of obtaining degrees was their grievance, the noble Lord went on to say that what those whom he represented wanted was a system of Collegiate training where there might be residence, with the advantage of having Professors who were able to conduct the training of residential Colleges of that kind. Nothing can be clearer than what that meant. I am not passing any opinion whether that is desirable or not—I quite agree with the view of the noble Lord that a College, where there are residence and training in Collegiate life, is as superior to a University which merely examines and confers degrees as one kind of education can be to another. I am for the Collegiate system which prevails at Oxford and Cambridge; and I look upon a University which merely confers degrees without residence and training as a very inferior institution. But what does the demand of the noble Lord really amount to? When he said that they wanted a system of Collegiate training, with residence and a staff of Professors, he means, of course, that they want money in order to provide those things—I will not call it endowment, but they want money. I can only repeat what, as I understand it, is the clear principle upon which Parliament is prepared to proceed—that a system of endowment and denominational Colleges is one which they are not prepared to accept. The lines upon which Parliament has proceeded hitherto, and the one on which it is prepared to proceed for the future, if we may judge from recent debates, as well as from long standing practice, are that demands for aid in favour of separate institutions in the form of endowments for denominational Colleges cannot be acceded to. I will now proceed to consider the mode by which the noble Lord proposes to get rid of this difficulty. He says, why not do what you did last year? Why not proceed upon the lines of the Intermediate Education Act; and he cites Mr. Gladstone as an authority. But, in calling in Mr. Gladstone as an authority for his proposal, let me say the noble Lord should have read a little further in the same speech than the quotation upon which he relies. If he had read a little further, he would have seen where the difficulty lies; because it is very singular that, although Mr. Gladstone's statement is in favour of the Intermediate Education measure so far as it relates to prizes and payments made to the student, he takes the objection that it might be said—and, evidently, that it ought to be said—that where you make payments, not to the students, but to the institutions which educate, you are running counter to the principle of abstaining from the endowment of denominational institutions. He says—

"It is worth the while of the Government to consider whether there is any value in the contention that the Bill, in providing for the payment of fees to the managers of schools, would not go far to be regarded as payment to particular institutions."

Then, as to the Conscience Clause, Mr. Gladstone said—

"If you confine your exhibitions and prizes to the young men, asking no question at all except as to their competence, you get rid of the whole difficulty as to the Conscience Clause."

That has no place in this Bill, except in reference to schools where there are managers' fees. I would not refer to this, if it had not been said that Mr. Gladstone was in favour of extending to University Education the whole principle of the Intermediate Education Bill. The distinction is taken by Mr. Gladstone between two kinds of payments—the payment which goes for prizes and exhibitions directly to the student, and the payment which does not go to the student, but to the institution where the student is educated. My first answer, therefore, is, that if the noble Lord asks for payments which are to be made in the shape of prizes and exhibitions to the students, all I have to say is, what I said on a former occasion, that I do not consider this denominational endowment. I consider it to be a payment fairly made for the open advancement of education, without reference to denomination; but if he goes further, and says that what he wants is a subvention to enable residential Colleges to be set up or supported, and to go towards the payment of Professors in such Colleges—then, I say, the matter assumes an entirely different shape, and trenches upon what I understand to be the firm and settled principle of Parliament with reference to concurrent endowment. The noble Lord tells me that I have failed to point out the distinction between the arrangements, especially as regards a Conscience Clause, of the system of Intermediate Education and the provisions of the present Bill. The other night the noble Earl the Leader of the Opposition was good enough to refer to what he called my points of distinction between the University Education Bill and the Intermediate Education Act of last year; but in commenting on this the noble Lord omitted the gravest and most overwhelming distinction between the two cases. I said the other night that the Act of last year was passed without the slightest reference to any particular school or schools in Ireland; that it was an Act intended to confer benefits on every school, north, south, east, and west, which might be able to send out students with a sufficient attainment in Intermediate Education. If any existing schools choose to use the provision of that measure they are entitled to do so; and if any new schools are set up they are privileged to do the same, their claims being the same—that they have pupils sufficiently trained. There is no intention, either avowed or intended, to confer the benefits provided by the Act of last year upon any particular schools, or upon the schools of any one denomination more than upon those of any other. But the case is altogether different with regard to the demands made on behalf of Colleges. There is no disguising the demand made by the noble Lord (Lord Emly) to-night, which is the demand always made—namely, "Here are two or three Colleges in Ireland which are denominational, and which are in want of funds for their support. We cannot ask you to make a grant of money to these Colleges; but we do ask you to make payments indirectly, which, "to use the language of a noble Lord, "will reach these institutions." Now, that is the first and overwhelming difference between the Act of last year and the Bill which the Government have now brought in. There was then not the slightest intention or desire to benefit any particular school. If they were to receive advantage it was to be openly on the same footing as others. But here you meet us with a demand which, if acceded to, would take the form of endowment; and it is asked for to benefit institutions which would be just as distinctly pointed at by the Bill were the demand complied with as if their names were set out one by one. I am asked what I consider the difference between a Conscience Clause applied to a College or University and a primary or intermediate school? There is all the difference in the world. If your University and Colleges were scattered all over the country and in every parish of every county, just as primary and intermediate schools are distributed, there would be a strong probability that they would be resorted to by all persons of proper age in their immediate neighbourhood, and the protection of a Conscience Clause would be requisite—in order that no boy should be compelled in attending the school of his neighbourhood for the purpose of secular education should be compelled to take religious education along with which you must have a Conscience Clause. Then the Conscience Clause plays a perfectly intelligent and very useful part. It is useful and necessary, and has a most happy effect upon the diffusion of education through the length and breadth of the land. But what application could it have to a large College set up—say in Dublin—for the denominational education of the Roman Catholic youth of that city? It could have none at all. There is not the slightest chance—I would say it would be a moral impossibility to find anyone entering that College except members of the Roman Catholic faith. The institution would not be intended for anybody else, and it is admitted that there would not be the least probability or likelihood of anybody else entering its walls. Those who do not belong to the Roman Catholic faith prefer to go elsewhere. Therefore, to set up a protection of that kind—to set up a Conscience Clause—in an institution never visited by those whom you are to protect against its influence, is merely to proclaim a mockery. My Lords, I think it is, to say the least, throwing a little dust in our eyes to say that whatever proposal might be made with respect to a Conscience Clause in a residential and teaching University such as we are asked to provide would have any weight or application whatever. These are the answers I have to make to the noble Lord — and I am sorry if they are of a character less favourable to his views than he would have desired.

Lord SELBORNE: Although my noble and learned Friend has told us what is the settled principle of Parliament, and although it may be true that Mr. Gladstone in the House of Commons expressed some doubt whether the Bill of last year did not contravene that supposed principle, yet I must remind your Lordships that the House of Commons and this House passed that Bill, and that Mr. Gladstone himself did not oppose it. Therefore, it is proved by that instance, either that Parliament has not established any such principle, or that it is not infringed by payments according to results in aid of schools of denominational education. You say that payments by results, which go directly to the institution and not to the individual student, trench upon the settled principles of Parliament as to denominational endowment. But is not that what has actually been done by the Intermediate Education Act? I distinctly protest, in the name of England, against the proposition. In England it is the settled practice for the State to give aid, through result fees, to denominational schools, both Church and Dissenting and Roman Catholic schools, all over the country. And, therefore, I take the liberty of saying that in whatever sense the principle of the noble and learned Earl may be true—and in some sense it is true—it is not true that the practice of Parliament is consistent with the view, that the encouragement of secular teaching in denominational institutions by State payments according to results, is equivalent to the direct endowment of those denominational institutions. It is a new extension of the principle, and contrary to anything yet laid down as a rule to Government by Parliament, to say that payment by results, which go to the institution, and not to the pupils, is an endowment of denominational education. Now, as to the distinction pointed out by the noble and learned Earl between the operation of the Conscience Clause under the Act of last year, and its operation under a measure aiding these institutions, I do not think much can turn on it. In the first place, as everybody knows, those intermediate schools are, most of them, strictly denominational, and some of them, I am told, are conducted by the Jesuits' Society, and it is not less improbable that any Protestant boy would go to a school of that description, than that he would go to Colleges such as we are now asked to assist. I cannot think there is much in that argument against the O'Conor Don's Bill. With regard to the Conscience Clause, I always supposed it was always adopted in the schools in England which are aided by the State, Roman Catholic schools included, not because it was taken for granted that there would be many persons to avail themselves of it, but because the State made it a condition of State aid that if the parent of any child desired to use a school of a denomination different from his own he should be at liberty do so without submitting to the specific religious teaching usually given in that school. Now, it may even be possible now and then that, under particular circumstances, some Protestant parents might wish their children to enter Roman Catholic Colleges; but without supposing many of such cases, there are, at any rate, the Roman Catholic schools, aided in accordance with the Bill of last year, in which the Conscience Clause exists as a condition of State aid. The Conscience Clause in the Bill of last year would be neither more or less effective than a similar clause in a University Bill. This is a measure of importance to Ireland, and it is essential you should not press against Ireland principles on the subject of denominational education or conditions upon which State aid is to be granted really differing from those which you apply to England.

Motion *agreed to;* Amendments *reported* accordingly; and Bill to be read 3ª *To-morrow.*

House adjourned at a quarter past
Seven o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 14*th July*, 1879.

MINUTES.] — PUBLIC BILLS—*Ordered—First Reading*—East Indian Railway (Redemption of Annuities) * [244].

Second Reading—Turnpike Acts Continuance * [239]; Commons Act (1876) Amendment * [233].

Committee — Army Discipline and Regulation [88]—R.P.; Railways and Telegraphs in India (*re-comm.*) * [234]—R.P.

Committee—Report—Industrial Schools (Powers of School Boards) * [242]; Artizans' Dwellings Act (1868) Extension (*re-comm.*) [236].

Considered as amended — Children's Dangerous Performances * [229].

Third Reading—New Forest Act (1877) Amendment * [210], and *passed.*

Withdrawn—Grand Juries (Ireland) * [199]; County Boards * [105]; Rivers Conservancy * [179]; County Courts (No. 2) * [191]; Patents for Invention (No. 2) * [77]; Criminal Code (Indictable Offences) * [170].

QUESTIONS.

COMMISSARIAT AND ORDNANCE STORE DEPARTMENTS—RE-ORGANIZATION.—QUESTION.

SIR HENRY HAVELOCK asked the Secretary of State for War, When it is probable that the long-promised Warrant for the reorganisation of the Commissariat Department will be published; whether, considering the great demands which the war in South Africa is making on the services of that department, he will consider the advisability of setting the officers at rest as to their future prospects as soon as possible; and, when he proposes to deal, in a similar manner, with the claims of the Ordnance Store Department?

LORD EUSTACE CECIL, in reply, said, that the Warrant for the re-organization of the Commissariat Department was now on its way to the Treasury, and he hoped it would be shortly published. The position of the officers of the Ordnance Store Department as regarded pay, promotion, and retirement, would be on all fours with that of the officers of the Commissariat Department. There would be no unnecessary delay in the publication.

INDIAN OATHS ACT—ALLEGED TORTURE.—QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for India, with reference to an alleged use of torture in a case tried before an assistant magistrate in India, Whether he can now state the result of the further inquiries into the subject which he undertook to make?

MR. E. STANHOPE: Sir, I received this morning a communication on the subject from his Grace the Governor of Madras in reply to my letter. His Grace informs me that no question of torture was ever raised in connection with the proceedings of Mr. Cox in April, 1878, and there was, in fact, no torture. What happened was this. By the Indian Oaths Act, oaths may be administered in any form common among, or held binding by persons of, the race or persuasion to which the witness belongs. Among the Tamil race the form of oath held most binding is one taken by the swearer in the act of worship with light in hand.

Burning camphor is frequently used for lights in Temple ceremonies. Mr. Cox, in the course of his inquiry into the malpractices of certain village authorities, found great difficulty in obtaining evidence from inferiors against superiors. In his anxiety to elicit the whole truth he allowed himself to commit certain irregularities. First, he directed the Tahsildar to call up certain persons to Arconum and to detain them there three days in order to remove them from the pressure of objectionable influence, which he had no legal authority to do. Secondly, he directed the witnesses to be sworn in their most binding manner, intending it to be done under the provisions of the Indian Oaths Act. He omitted, however, to obtain the offer of the persons to submit to the binding form of oath, but required them to take it. This, although there is no report of any objection, was beyond the law. And he also allowed the oath to be taken in an informal manner. The Sessions Judge made severe comments on these irregularities, and sent up the case to the High Court. The High Court made no order, apparently thinking the notice of the Sessions Judge sufficient. The matter was some months afterwards reported to the Government of Madras; and they, notwithstanding the Judge's remarks, recorded an opinion that Mr. Cox's procedure was—

> "Most irregular and improper, directly calculated to encourage subordinate officials in a resort to illegal expedients in similar cases,"

and directed their opinion to be communicated to Mr. Cox. His Grace particularly wishes me to add that throughout seven years' service Mr. Cox has proved himself a good officer and magistrate, no previous overstepping of his authority having occurred, nor any complaint of irregularity of procedure. During a long and harassing course of famine duty he proved himself a good and considerate officer.

ARMY—ARMY SERVICE—REPORT OF COMMITTEE.—QUESTION.

Colonel ARBUTHNOT asked the Secretary of State for War, Whether he has yet considered the Report of the Committee which inquired into the question of the service of Officers under twenty years of age and other matters; if he has arrived at any decision on those points; and, whether he has any objection to lay the Report upon the Table?

Colonel STANLEY, in reply, said, he could not state in terms the decision at which the Committee had arrived with respect to this matter. A small Committee had sat, presided over by his hon. Friend the Financial Secretary, and they had drawn up a very able Report. That Report had been put into the form of a Warrant and was now being embodied in a Circular. That was all he could state.

CRIMINAL LAW—POISONING BY ALCOHOL.—QUESTION.

Sir WILFRID LAWSON asked the Secretary of State for the Home Department, Whether his attention has been called to the case of a hawker, named Finley, whose death a coroner's jury has found to have resulted from poisoning by alcohol; whether it is a fact that, on the day of his death, a bottle of whiskey was supplied to him at the Royal Hotel tap, Winchester, for the purpose of consumption on the premises, that he drank the whiskey in about the space of twenty minutes, and died within a few hours; and, whether the conduct of those who supplied this man with drink requires any further investigation by the authorities?

Mr. ASSHETON CROSS: Yes, Sir; I am afraid the facts stated in the hon. Baronet's Question are true, and a most disgraceful state of facts it is. I have called the attention of the Mayor of the town to the matter, and I have confidence from his judgment and right-mindedness that the investigation of the case may be safely left in his hands.

SCIENCE AND ART DEPARTMENT—UNITED WESTMINSTER SCHOOL OF ART—SUSPENSION OF MR. GOFFIN.

QUESTION.

Colonel BERESFORD asked the Vice President of the Council on Education, Whether, before taking the Vote for the "Science and Art Department," he will lay upon the Table of the House a Copy of any further Correspondence between the Science and Art Department and the Chairman of the Board of Governors of the United Westminster School, in continuation of Papers already presented; and, whether he would include the documentary evidence referred to on page 37, Parliamentary Paper, No. 86, consisting of the boys' note-books and notes of their written admissions, and of the notes taken by Captain Abney of the answers of four of the boys?

LORD GEORGE HAMILTON: Sir, there will be no objection to the production of further Correspondence on this subject, and the Correspondence will itself explain the difficulty of producing the notes and documentary evidence alluded to in the way required. As the suspension of Mr. Goffin has in certain quarters excited a great deal of interest, and as the Governing Body of the school of which he is head-master are dissatisfied with that decision, it may be convenient if I were now to state the course which we propose to pursue. The hon. Baronet the Member for Maidstone (Sir John Lubbock), who is the head of the Governing Body, has, within the last few days, put a Notice upon the Paper, asking for a Select Committee to inquire into this case. Facts have, within the last few days, also come to our notice which makes it, in our opinion, very advisable that a searching inquiry should at once be instituted into all the transactions connected with Mr. Goffin's suspension. I shall, therefore, propose to move, as soon as is possible, for a Select Committee to inquire into and report upon the circumstances relating to the charges against Mr. Goffin.

INDIA—DEPARTMENT OF AGRICULTURE AND COMMERCE.—QUESTION.

SIR GEORGE CAMPBELL asked the Under Secretary of State for India, Whether, since this House has affirmed the need of a Department of Agriculture and Commerce in this Country where there is so much private enterprise, the Secretary of State for India will reconsider the propriety of abolishing the Department of Agriculture and Commerce established by the late Lord Mayo in India, where the people are so much less able to help themselves, and of reforming and improving that Department rather than abolish it?

MR. E. STANHOPE: Sir, at present we have hardly received any information on the subject mentioned by the hon. Member. We know that the Government of India has transferred to the Home Department the duties at present discharged in the Department of Revenue, Agriculture, and Commerce. I believe that it is expected, from the diminution of other duties, the Home Department will be fully able to undertake them.

RIVERS CONSERVANCY BILL.

QUESTION.

MR. GARFIT asked the President of the Local Government Board, Whether it is the intention of the Government to proceed with the Rivers Conservancy Bill this Session?

MR. SCLATER-BOOTH, in reply, said, he was sorry to state that the Government thought they would not be able to proceed with the Bill this Session.

ARTIZANS' AND LABOURERS' DWELLINGS ACT, 1875—COST OF METROPOLITAN IMPROVEMENTS.

QUESTION.

MR. FAWCETT asked the Chairman of the Metropolitan Board of Works, Whether, as it has been stated that the loss caused to the Metropolitan ratepayers by clearing six sites under "The Artizans and Labourers Dwelling Act, 1875," will be over £550,000, he can inform the House if any estimate has been formed of what will be the entire loss to the Metropolitan ratepayers from carrying out this Act in the Metropolis; whether any representation has been made by the Board to the Home Secretary with a view to such an amendment of the Act of 1875 as will diminish the cost of carrying it into operation; and, if such representation has been made, what was the reply received?

SIR JAMES M'GAREL-HOGG: Sir, it is impossible to say what will be the entire cost to the Metropolitan ratepayers of carrying out the Artizans' and Labourers' Dwellings Act, as there are many cases before the Board in respect of which schemes have not yet been prepared nor estimates made. Up to the present time, of 14 schemes approved by Parliament, the loss on the six sites referred to will be £562,061, while that on the remaining eight is estimated at £514,409, assuming that the prices received for land equal, and do not exceed, those already offered. The whole matter is under consideration by a Committee of the Board, who propose to make a representation to the Secretary of State, with a view to an amendment of the Act.

EAST INDIA MUSEUM, SOUTH KENSINGTON.—QUESTION.

MR. GRANT DUFF asked the Under Secretary of State for India, Whether it is true that it is intended to break up and disperse the Museum which was collected by the East India Company and was transferred from the Company to the Crown when the change of Government took place?

MR. E. STANHOPE: Sir, it has been decided by the Secretary of State in Council to remove the collections now in the East India Museum at South Kensington. The distribution of these collections has not yet been determined on, and is the subject of investigation by a Committee in communication with the authorities at the British Museum, South Kensington, and Kew Gardens. The main object which is expected to be gained by this step is the increased utility of the collections to the public. The Economic Section, for instance, could be maintained and perfected with great public advantage in the experienced hands of Sir Joseph Hooker at Kew, where he already has a far better collection of similar objects; while as regards the Zoological, Ethnological, and Art collections, their transfer to departments where they will be more generally seen and appreciated seems better than to retain them in a Museum which, somehow or other, does not attract visitors. I may add that it will have the additional advantage of causing an ultimate saving to the Indian Revenues of £9,000 a-year.

CRIMINAL LAW—CRIMINAL PROCEEDINGS AGAINST SOLDIERS.

QUESTION.

MR. O'SHAUGHNESSY asked the Secretary of State for War, If there is any record kept by the Military authorities, or by any department of the War Office, of the number and result of criminal proceedings instituted against soldiers before the civil tribunals in the United Kingdom?

COLONEL STANLEY: Sir, there is no such record in any Department of the War Office, as far as I can ascertain. The only record kept by the military authorities is the entries in the regimental books after each man's name.

DELAYED IRISH RETURNS.

QUESTIONS.

MR. O'SHAUGHNESSY asked the Chief Secretary for Ireland, When the Correspondence between the local authorities, under the Contagious Diseases (Animals) Act, and the authorities of the Royal Irish Constabulary, and with the Chief Secretary, ordered by this House, will be laid upon the Table of the House? Also, when the Return with regard to Admiralty cases in the Belfast and Cork Local Courts, ordered by this House on the 19th ult. will be laid upon the Table?

MR. J. LOWTHER: Sir, I hope to lay the Correspondence under the Contagious Diseases (Animals) Act on the Table before many days. The Return with regard to Admiralty cases has been furnished; but it is not yet in proper form, although I hope in some few days it will be.

MERCANTILE MARINE — WRECK OF THE "STATE OF LOUISIANA" ON THE HUNTER'S ROCK, LARNE.

QUESTION.

SIR JAMES M'GAREL-HOGG asked the President of the Board of Trade, Whether his attention has been called to the danger to navigation caused by the wreck of the ocean-going steamer "State of Louisiana," which has lain at the entrance of Larne Harbour since the 26th December last; and, whether it is proposed to take any steps for the speedy removal of the wreck?

VISCOUNT SANDON: Sir, the Commissioners of Irish Lights, who are the responsible authority, have not considered it necessary either to light or to remove the wreck, inasmuch as the Hunter's Rock, on which it lies, is a well-known danger, which is already buoyed and marked by a red sector of light from the Larne Lighthouse, and for the avoidance of which instructions are carefully laid down in the sailing directions. An additional or wreck-buoy has been placed by the Commissioners of Irish Lights, who have stated to me that there is no further danger to navigation than that which has hitherto existed in the rock itself. I am advised that, even before the wreck occurred, it would have been a most hazardous proceeding for a master knowingly to shape a course to go over the rock.

BOARD OF WORKS (IRELAND)—SALARIES OF THE STAFF.

QUESTION.

COLONEL COLTHURST asked the Secretary to the Treasury, Whether it is the intention of the Government to carry into effect the recommendations (which have now been before them for twelve months) of Lord Crichton's Committee of Inquiry into the Board of Works in Ireland, as regards the salaries of the staff; and, whether there is any reason for delaying further the decision on that part of the Report which deals with the special cases of hardship in the office establishment directed to be inquired into by Colonel Stanley's letter of the 7th January 1878?

SIR HENRY SELWIN-IBBETSON: Sir, the Treasury had hoped to be able to deal with the cases referred to before now; but on considering the main questions dealt with by the Committee, it appeared that they involved a consideration of certain of the duties of the Local Government Board, and of the relation of that Department to the Board of Works. It is thought that a better distribution of duties may be made between the two than that which now exists; but it has not been possible during the Session to give sufficient time to the subject to arrange details of the scheme, and it is intended to postpone further action till the autumn. Meanwhile, with such a scheme in contemplation, it is not a favourable moment for re-adjusting the salaries of an establishment which may be seriously affected by it.

TURKEY—CHEFKET PASHA.

QUESTIONS.

SIR CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, Whether Chefket Pasha has been appointed by the Turkish Government to an important command in that portion of Thessaly which lies to the south of the line named in the Thirteenth Protocol of the Congress of Berlin.

MR. H. SAMUELSON asked the Under Secretary of State for Foreign Affairs, Whether the Chefket Pasha who has been appointed to an important command in Thessaly is the Chefket Pasha specially mentioned by the Earl of Derby in an official Despatch to Sir Henry Elliot, dated 21st September, 1877 (Turkey, No. 1, 1877, No. 316), ordering him to demand audience of the Sultan, and to require the punishment of the authors of the atrocities in Bulgaria?

MR. BOURKE: I do not suppose anyone can doubt that the Chefket Pasha referred to in the Question of the hon. Member for Chelsea is the same person as is alluded to in the Question of the hon. Member for Frome. In November last Chefket Pasha was transferred from Manister to Larissa in Thessaly, where he is serving, we understand, under the orders of Mushir Pasha. That is all I can say on the subject.

CENTRAL ASIA—RUSSIAN ADVANCE ON MERV.—QUESTION.

MR. C. BECKETT-DENISON asked the Under Secretary of State for Foreign Affairs, If the Government have any reliable information as to the military operations of Russia against the Turkomans in the direction of Merv; and, whether any inquiries have been made at St. Petersburg as to the aim and object of those operations?

MR. BOURKE: Sir, Her Majesty's Government believe that operations have been undertaken lately from the Attrek in the direction of that portion of the country which is inhabited by the Tekke Turkomans. With regard to the second part of the Question, the Russian Government have denied formally to Her Majesty's Ambassador at St. Petersburg, and the Russian Ambassador here has also formally denied to my noble Friend the Secretary of State for Foreign Affairs, that there is any intention to march further towards Merv.

BURIALS ACTS — CHURCHYARDS (ENGLAND).—QUESTION.

SIR GEORGE JENKINSON asked the Secretary of State for the Home Department, If his attention has been directed to the numerous churchyards in England which are full, and therefore unfit for further interment in them; also, that the number of these is constantly increasing, without any adequate remedy to abate this evil being applied by the parishes so circumstanced; whether he will grant a Return, in a tabulated form, of the various parishes in which the above is the case; and, whether the Government intend taking any, and, if so, what steps without delay to compel the parishes, where such a state of things exists, to provide a remedy by the enlargement of the existing churchyards or otherwise?

Mr. ASSHETON CROSS: Sir, I have no doubt a considerable number of churchyards in England are very full. Some time ago the Government wished to have a very accurate Return; but it was found such a Return would not cost less than £5,000, and we did not think ourselves justified in putting the public to that expense. Certain Returns, however, have been made which there will be no objection to lay on the Table. I have no power when a churchyard is full to order a parish to enlarge it or to close it; but I hope that this question will in future be treated as a sanitary matter, and that something will be done to remedy the inconvenience complained of.

CRIMINAL LAW—IMPRISONMENT FOR STEALING FLOWERS.—QUESTION.

Mr. PEASE asked the Secretary of State for the Home Department, Whether his attention has been called to the circumstance of two little girls being sent from Camborne Petty Sessions to the county gaol at Bodmin under the following circumstances:—That one girl, named Madden, was about 11 years of age; that the other girl, named Stevens, was only about nine years of age; that they had neither of them ever been convicted before; that they were fatherless and the children of very poor widows; that the crime with which they were charged was that of stealing the flowers, or the plants and flowers, off a grave in the churchyard of Lelant; that they pleaded guilty on the 3rd of June, and were fined 1*s.* and costs; on the 24th of June, in default of payment, they were sentenced to seven days in Bodmin gaol; that they were actually in gaol six days, having arrived there the day after commitment; and whether he thought little children of such an age should, under such circumstances, be sent to county gaols?

Mr. ASSHETON CROSS: Sir, I have said, over and over again, that I am altogether opposed to the sending such young persons to gaol. I gave orders long ago that if any such case occurred my attention should be called to it at once. The facts in this case did not come to my knowledge till the term of imprisonment had expired. With regard to the facts stated, I have received a communication from the clerk to the Justices; and it is but just to the magistrates that I should state that, according to that letter, the circumstances of the case are inaccurately put in the Question. I am told that the offenders were not young children of nine and 11, but girls of 14 and 15 years. The offence had been one of frequent occurrence, and it was not only that flowers in graveyards had been plucked, but the plants were torn up and taken away. Such a practice could not be allowed to go on.

CLERKS OF THE CROWN (IRELAND)—REPAYMENT OF ADVANCES.

QUESTION.

Mr. MURPHY asked the Secretary to the Treasury, What has been the cause of the delay in the repayment to the several Clerks of the Crown and Peace in Ireland of the amounts which have been disbursed by them to 31st December 1878, in discharge of the expenses of their offices, and for which payments vouchers have been furnished to the Treasury; and, why those officers have been obliged to continue to make advances out of their own moneys to meet expenses necessary to enable the business of their several departments to be carried on?

Sir HENRY SELWIN-IBBETSON: Sir, the delay has arisen from a difficulty in determining the amount with which the Clerks of the Crown and Peace should be debited in respect of the expense of keeping open an office in the Assize towns of their counties, as they are required to do by the County Officers and Courts Act. But it is hoped that this difficulty will soon be removed, and, in the meantime, in order to save the officers inconvenience, the Treasury has authorized payment to them of proportions varying from two-thirds to three-fourths of the amounts of their claims.

INTEMPERANCE—LEGISLATION.

QUESTION.

Mr. STEVENSON asked the Secretary of State for the Home Department, If he is prepared to announce the course which the Government intend to take in regard to the recommendations of the Lords Committee on Intemperance, particularly as to the hours of closing on Sundays; or, if the Government intend to embody their views in a Bill to be laid upon the Table of the House before the close of the Session?

MR. ASSHETON CROSS: Sir, it is not very convenient to take a particular part of the Report of the Lords' Committee on Intemperance, in order to ascertain the views of the Government upon that Report. I have no intention to introduce a Bill at present, and think it will be quite time for me to express the views of the Government when it becomes necessary to introduce a Bill on the subject.

INDIA—KIRWEE PRIZE FUND.

QUESTION.

LORD GEORGE CAVENDISH asked the Under Secretary of State for India, If he would explain why the Return, No. 213, of Session 1876, which does not account for all the movable assets of the ex-chiefs of Kirwee, has been presented to the House as a complete Return of all their movable assets; and, why the amount retained, as a right of war or otherwise, by the local Government, has not been entertained therein as the Parliamentary Orders of Session 1873 and Session 1874 expressly require?

MR. E. STANHOPE: Sir, I am afraid that I can add very little to a former answer of mine on the same subject. The third and final distribution was ordered to be made on the number of shares admitted to the 31st March, 1876, since which date some few claims have been admitted in addition to that number. Exclusive of these later admissions, the balance against the Treasury on that date was Rupees 15,235 2 6. The Return of 1876 is complete, and—

> "Shows the amount of all movable property of enemies or insurgents in the territories of Oude or Kirwee, or of the proceeds thereof, which have passed into the possession of the authorities of India since the outbreak of the war in 1857, distinguishing the funds which have been distributed among the troops and the funds which have been retained or otherwise disposed of by the local Government."

It thus complies in every detail with the Parliamentary Orders of 1873-4. I am informed that the promissory notes to which the noble Lord alludes never passed into the possession of the authorities in India. According to the Report of the Advocate General in 1862, there was no seizure or capture of these notes, and they consequently have never become prize.

AFGHANISTAN—THE CEDED DISTRICTS.—QUESTION.

MR. C. BECKETT-DENISON asked, Whether the troops had returned within the limits of India proper, and what arrangements had been made for guarding our newly-acquired territory?

MR. E. STANHOPE: I can only give the movements of the troops on the line of the Khyber Pass, and as regards those of particular regiments, I can give no more information than my hon. Friend will find in the newspapers. The garrisons to be maintained for the present on the Khyber line consist of two batteries of Royal Artillery, one regiment of British Infantry, one of Native Cavalry, four of Native Infantry, and one of Sappers and Miners. The remainder of the Force will return to their various stations in India.

EDUCATION (IRELAND) ACT—ASSISTANT TEACHERS.—QUESTION.

MR. PATRICK MARTIN asked the Chief Secretary for Ireland, Whether his attention has been called to the several declarations made in the south and west of Ireland by so many influential and experienced managers of national schools, condemning the contemplated restriction of assistant teachers in the schools under their charge, and stating authoritatively from their knowledge as managers that the recent change made by the Board of National Education requiring a newly increased average of pupils in the schools to entitle them to the benefit of assistant teachers would be seriously detrimental to the efficiency of the teaching staff, and most prejudicial to the interests of education; can he state on whose suggestions such change was thus made by the Board of National Education, and with what objects; and, having regard to the emphatic disapprovals thus manifested, does he intend to make any suggestions; and, if so, to what effect, in reference to this contemplated innovation on the former practice?

Mr. J. LOWTHER: Sir, I am aware that objections have been made in some quarters to the scheme alluded to. The hon. and learned Gentleman asks on whose suggestion the change was made. I am unable to say what suggestions had most weight with the Commissioners of Education; but among others were some made by myself. As some misapprehension appears to exist upon this subject, I wish to point out how the case stands. In England, one assistant teacher is allowed for every 100 pupils. In Ireland, until a few years since, one assistant was allowed for every 75 pupils, when an alteration was made under which one assistant was allowed for every 60 in the case of males, and for every 50 in the case of females. Under the new rule of the Commissioners one assistant is allowed for every 70 pupils, male or female. Before adopting this alteration they caused a conference to be held of the head inspectors, chiefs of inspection, and secretaries, among whom a very general opinion was expressed to the effect that the proposed plan would not operate in any way injuriously to the interests of education. I certainly look upon it as a decided improvement.

ROYAL IRISH CONSTABULARY.

QUESTION.

Mr. GRAY asked the Chief Secretary for Ireland, How many "non-effective" men are now in the Royal Irish Constabulary; how many of them have been non-effective for six months or longer; and how many have served for a period enabling them to retire on pension?

Mr. J. LOWTHER: Sir, it is rather difficult to answer this Question in the precise form in which it stands on the Paper, because the number of those coming technically within the definition of non-effective is subject to variation from day to day, from the fact of men being on the sick list for a few days and then returning to their duty. It will probably, however, carry out the hon. Member's object if I take three months' absence from the effective strength as the basis of calculation. I find that there are at present 43 men who have been non-effective for a period of three months and less than six months; 17 have been non-effective for periods ranging between six and nine months, which makes a total of 60 in all; 39 of these 60 are men entitled to pension, having served for 15 years or upwards.

TURKEY—AMOOSH AGA.

QUESTIONS.

Mr. H. SAMUELSON asked the Under Secretary of State for Foreign Affairs, Whether he is aware that the Amoosh Aga, who is Chief of the Police under the Turkish Government in the portion of Epirus proposed to be annexed to Greece by the Berlin Treaty, is the same man of whom the Special Correspondent of the "Times" in Thessaly wrote in that paper of April 4th, 1878, that on February 28th, 1878, he had caused to be "hacked almost to pieces" certain innocent inhabitants of Bulgarini, of whom the

> "Bodies were then piled up like a row of wood, a row with feet this way, a row with feet that way, and branches, which had been placed underneath them, fired;"

And, whether he will make any representations to the Turkish Government with a view to the removal of Amoosh Aga from a post in which he has power over the lives and fortunes of the Thessalian peasants?

Mr. BOURKE: Sir, we have not heard who is commander of police in that part of Thessaly.

Mr. H. SAMUELSON: Sir, in reading the Question, I substituted Epirus for Thessaly, which I had written by mistake.

Mr. BOURKE: I am sorry I did not hear that the hon. Member made the correction; but it makes no difference to the answer. We have not heard who is commander of the police in either Thessaly or Epirus. In the Papers already laid before the House relating to Thessaly and Epirus, there is a name somewhat similar to that mentioned; but I am not sure whether it is the same individual. We have no means of knowing whether the statement in *The Times* is correct, or whether the individual therein mentioned is now in command of the police.

Mr. H. SAMUELSON: Will the hon. Gentleman ascertain whether he is the same man of whom Mr. Ogle wrote the paragraph, to which paragraph, no doubt, that gentleman owed his death?

Mr. BOURKE: Sir, I think that must be left to the discretion of Her Majesty's Government. I do not think

I should be doing my duty if I were not to state that these events are alleged to have occurred a year and some months ago. Already all documents relating to them have been communicated to the House, and I do not think there is any reason now for stirring up these matters again unless some report has reached Her Majesty's Government through official channels. The officers employed by the Government in Turkey are perfectly alive to all these dreadful occurrences, and they report upon them from time to time; but I must say that the harm done by raking up these occurrences——

MR. H. SAMUELSON: I rise to a point of Order. I wish to know whether the hon. Gentleman, in answer to a simple Question, whether he would ascertain who a particular individual was, has any right to debate the question whether an inquiry would do harm in Epirus?

MR. SPEAKER: The hon. Member was certainly travelling beyond the limits of a reply. At the same time, I must point out that in regard to a Question of this kind it is expedient that Notice should be given.

MR. H. SAMUELSON gave Notice that he should renew the Question on Thursday.

PARLIAMENT—PRIVILEGE—PROCEEDINGS OF THE HOUSE—NOTE-TAKING IN THE MEMBERS' SIDE-GALLERY.

PERSONAL EXPLANATION.

MR. O'DONNELL: I wish, Sir, to make a personal explanation with reference to your calling me to Order on Friday last. I was arguing, Sir, on the general question of the evidence to be supplied to Mr. Speaker with regard to the Business of the House, and I was pointing out the difference between the weighty and valuable evidence that would be supplied by a body of reporters or officials appointed and directed by this House, and that, on the other hand, the evidence supplied by officials or reporters not appointed by this House would be valueless and worthless evidence. At this point, Sir, an hon. Gentleman opposite rose and declared that I had used un-Parliamentary language. I did not notice the point; but you, Sir, immediately replied that I had used un-Parliamentary language, and that the gentlemen in question were gentlemen as well as ourselves. I did not understand the point of your censure either, Sir, until I read it in the newspapers containing the report of the discussions. Then I found that the hon. Gentleman opposite had understood me to use the words "worthless agents," while I used the words "worthless evidence." There may be some similarity between the sounds of the different words; but I wish to explain that I did not use the words imputed to me. My objections were in no way directed towards the individuals you employed, Sir, whose characters I have nothing to say against; and, therefore, I beg to state most respectfully that you were quite mistaken by thinking that I used the words "worthless agents." I spoke entirely of worthless evidence, Sir, and I wish it to be understood that I am not to be judged of being guilty of bringing anything against the character of these gentlemen, whom I must conclude are honourable and respectable men.

MOTION.

PARLIAMENT — PUBLIC BUSINESS — ORDERS OF THE DAY—TUESDAYS AND WEDNESDAYS.

THE CHANCELLOR OF THE EXCHEQUER: I have now to move—

> "That, for the remainder of the Session, Orders of the Day have precedence of Notices of Motion upon Tuesdays, Government Orders having priority; and that Government Orders have priority on Wednesdays."

As I mentioned the other day, this is the same day of the year upon which a similar Order was made last year, and I need not detain the House by pointing out how very much we have still of Business to get through in the few weeks that remain before the natural termination of the Session. I would say that the first Business we have still before us is the Army Discipline and Regulation Bill. Hon. Gentlemen are perfectly aware of the position in which that Bill stands in relation to the expiry of the Continuance Act which was passed in April; and I would remind the House that unless we are able to get that Bill through the House in the course of this week very great difficulty and inconvenience will arise. I hope it may be possible to conclude the Committee on the Bill, if not to-night, at all events, to-morrow, and that we may be able to take the Report on Thursday. Well, then, Sir, there are the Estimates, which are considerably in arrear. We have a great number of Votes still to take, including some important and pressing Votes, for which our Votes on Account are running out or have run out; and we shall proceed with these as speedily as we can. Amongst the Estimates there will be one which is not already before the House, but for which hon. Members will be prepared—that is, a Vote of Credit in respect of the War in South Africa. These Estimates will, of course, require some time for discussion. Then we have the two India Loans Bills, which will, no doubt, take a day or two for discussion. Then there is the Public Works Loans Bill. There is a good deal of opposition offered, I am aware, to that measure, which is upon the Table; but whether that measure passes in its entirety or not, it is absolutely necessary that a Bill should pass, because, otherwise, we shall have no funds out of which to make advances to local authorities that are expecting them. The advances last year are nearly exhausted, and the time has come to proceed with the matter. I pass over other minor matters which will take some little time; but the House will see that there is a good deal of urgent Business, and I think that the circumstances justify me in making the request which I now make to the House. There are upon the Order Book a considerable number of important measures. Some of these we had hoped at an earlier period of the Session we should be able to pass; but, from various circumstances which I need not now enter into, including, of course, the length of time which one Bill has occupied, it is obviously impossible that we should proceed with all of them. My hon. and learned Friend the Attorney General has already stated that we should not attempt to proceed with the Criminal Code Bill. We are very sorry indeed to lose the opportunity of passing so useful a measure this Session; but we hope it will not be the worse for waiting another year. I am sorry to say that the Patents for Inventions Bill is another Bill that we are not able to proceed with, and we must abandon the County Boards Bill, and the Irish Grand Juries Bill, and, as the House has already been informed by my right hon. Friend (Mr. Sclater-Booth), we shall not be able to proceed with the Rivers Conservancy Bill. I will not attempt at the present moment to make an exhaustive catalogue of Bills that we hope to proceed with; but there are two Bills that are, I think, of general interest, and which it will be desirable, if possible, that we should pass this Session. One is the Banks Bill. I do not know whether it will pass exactly in its present shape; but I hope it will be found possible to pass, at all events, an important portion of it. The other is a Bill which is of very great interest to the mercantile community and the country at large. I mean the Bankruptcy Bill. We hope it will be found possible to pass that Bill. I am aware that we have both the Bankruptcy and the Valuation Bills. It will be exceedingly difficult to get them both through. I will not say whether it will be possible; but, at the present time, we give precedence to the Bankruptcy Bill, and I hope the House will assist us in passing it. I have said I will not attempt to make an exhaustive catalogue of measures now, but I think, if the House will allow us the days we are now asking for, and if we are assisted in endeavouring fairly to make progress, we may be able to close the Session somewhere about the usual time.

Motion made, and Question proposed,

"That, for the remainder of the Session, Orders of the Day have precedence of Notices of Motions upon Tuesdays, Government Orders having priority; and that Government Orders have priority upon Wednesdays."—(*Mr. Chancellor of the Exchequer.*)

Mr. O'DONNELL said, he had listened with attention to the statement of the right hon. Gentleman, and the reasons which he had given; and he could not but think that he had given the House no sufficient reasons for granting to him those days of private Members which he requested. The demand for Members' days came, in his opinion, with singularly bad grace from a Government which had occupied so much of the time of the House with Bills commanding no assent from either side of the House, and which had occupied a still larger portion of public time by proposals provoking discussion, and which, after discussion, were either altered altogether or abandoned by the Government. The Government could not ask to be exempt from charges of wasting public time, when it brought in such a Bill as a sham County Boards Bill, which had never a chance of receiving the assent of the House, and which could have been brought in only for the purpose of convincing everybody that Her Majesty's Administration was unwilling, or more probably incapable, of dealing with the problem of county government. Most of the followers of the Government could not utter a word on behalf of the County Boards Bill, which, nevertheless, had occupied a large part of the time of the House. But if he were to go into all the Bills which had been introduced without any apparently serious purpose, he would unjustifiably trench on the time of the House. Not only had the time of the House been uselessly occupied by Government by Bills of the nature of the County Boards Bill, but by discussions provoked by the Government's foreign and colonial policy. How much time had been absolutely wasted by the Government through their inexplicable indecision and their contradictory policy with regard to the administration of Sir Bartle Frere and the strategy of Lord Chelmsford in South Africa? How long had the Government uselessly occupied the time of the House by defending the indefensible proceedings of such officials and generals? How long had they presented an unyielding front, declaring that they would support Sir Bartle Frere and Lord Chelmsford to the end, and then, after days on days of public time had been wasted, they turned round and gave up the very positions which they had defended so obstinately and with such disadvantage to the Public Service? Was such a Government entitled to demand the surrender of private Members' time? Some five or six days at the outside would be annexed by the Government. Had not a far larger number been wasted in the proceedings to which he referred? Again, in consequence of the extraordinary policy of the Government with regard to Irish University Education, the time of private Members had already been uselessly wasted, because they had been induced to abandon two Wednesdays to the discussion of that question, which ought to have been treated by the Government and approached on official authority, and which, after the two Wednesdays had been wasted, had been so treated and so approached. The whole of these two Wednesdays had been absolutely wasted for utterly incomprehensible reasons. Did the Government base their demand for the surrender of private Members' time on that comic University Bill which had already upset the gravity of the hereditary branch of the Legislature, and which was, doubtless, brought on to afford the humorous Members of the Government opportunities to play with the public time. A more worthy way of meeting any demand for increased time would be met, not by taking away the few remaining opportunities of private Members, but by placing the Public Business in the House in the first place, and then the recreation of Gentlemen who went to shoot in the season. He believed he represented a large body of public opinion in the Three Kingdoms, when he said that if the Business of the House was really so much at heart with the Government, they ought to compass it by lengthening the limits of the Session. He did not presume to interfere with the recreation of hon. Members. Whether hon. Members went to the theatre in the evening, or to the moors in the autumn, that was their business; but he protested against the regular sacrifice of the public convenience to the private convenience of a small section of Members. In saying this, he believed he was speaking the opinions not of tens of thousands, or of hundreds of thousands, but of millions. Hon. Members wished to go and shoot, and the least kind wishes they could offer were that they would shoot with more intelligence than they voted. The Government had wasted days of public time in irrelevant discussions on untenable Colonial policy and upon Bills of a sham character; and he hoped that at least a large minority would go into the Lobby against the utterly unjustifiable request which they now made.

MR. O'CONNOR POWER observed, that everyone in the House, and nearly everyone in the country, was dissatisfied with the progress of Public Business in this House. [*Ironical cheers.*] He was glad he had stated a proposition which had been so universally accepted. Everybody was dissatisfied, and he was himself just as as much dissatisfied as any Member of Her Majesty's Government, or anyone outside the House who complained of obstruction. The delay in Public Business had been attributed by different Parties to different causes. One Party attributed it to the conduct of Public Business and to the character of that authority which held the reins of Government, and it had been said confidentially that the reins of Government in this House had broken in the hands of the Chancellor of the Exchequer, and that in consequence Business had not been expedited. It was his (Mr. O'Connor Power's) good fortune the other day to assure Mr. Speaker of his respect for his position and authority, and he was proud to avail himself of this opportunity of assuring the Chancellor of the Exchequer of equal respect for his position and authority; and if no one else would repel the accusation brought against the right hon. Gentleman, he would undertake, however feebly, to do it himself. He denied point-blank that the delay in Public Business was owing to the Chancellor of the Exchequer. The Chancellor of the Exchequer had had unusual difficulties to contend with. An indefensible policy had been forced upon him by his Colleagues in the Cabinet. He trusted that however long they might be obliged to remain to finish the Business, the Session would not be unusually protracted. He trusted that the remainder of the Business would not be unduly protracted. He thought it was his duty to come down there and urge that the Session should not be unusually prolonged. He had come down to the House prepared to take his leave of the Chancellor of the Exchequer. Knowing the Conservative Party to be a grateful Party, he hoped that before the House should meet again after the Prorogation they would reward the services of the right hon. Gentleman by decorating him with a Coronet, and translating him to that Upper Chamber where Obstructives ceased from troubling and where Ministers were at rest. It was said by some critics that the delay in the Business of the House was due to the protracted opposition of certain hon. Members who sat on this side of the House; but he (Mr. O'Connor Power) repudiated that accusation with almost as much earnestness as he did the accusation levelled against the Leader of the House. The delay which was complained of was really to be attributed to our present system of legislation—a system which had been frequently investigated, but for which no adequate remedy had yet been suggested by Her Majesty's Government, or by the numerous Committees which had sat to inquire into the subject. Every year, at this period of the Session, Bills upon which valuable time had been spent, and in connection with which there had been important discussions, were thrown aside; and the House, consequently, had the mortification of seeing that a great deal of its time and labour had been completely fruitless. These circumstances were attributable to the fact that the Paper was each year crowded with a number of Bills for proposed legislation which the House was quite unable to deal with. He suggested, as a remedy, that there should be some division of labour which would enable the Imperial Parliament to devote itself exclusively to Imperial Business, and give local authorities the power to transact local business. The conduct of Business in the House, and the manner in which much of it was shelved year after year, having attracted universal attention, surely the time had come to inquire whether some local machinery could not be set in motion for the transaction of local business, so that the Imperial Parliament might be relieved from the burden of petty concerns. He held that if the English people were not impervious to ridicule, a remedy would long ago have been found for a state of things which left the Government, at the end of every Session, with only one or two paltry or insignificant measures to point to as proofs of the industry of Parliament.

Mr. VANS AGNEW said, he proposed to add a few words to the Motion of the Chancellor of the Exchequer, which he hoped the right hon. Gentleman would see his way to accept. The words were as follows:—"Except in the case of Bills which stand for Consideration, as amended, or for Third Reading." Knowing the difficulties that had been in the way of private Members, he was sure the House would not be surprised to hear that only four Bills stood in that position; and the ground on which he would urge the recommendation he had made was that those Bills had been read a second time, their principle had been affirmed, the details had been settled in Committee, and there they remained. But, by the proposal of the Chancellor of the Exchequer, they would be swept away; and there would be no chance of proceeding further with them. Hon. Members who had had charge of a Private Bill would understand what responsibility they undertook, and they would agree with him, when he said it was hard that when the House had affirmed the principle of a Bill any individual Member could stop it from going on by the application of the Half-past 12 Rule. He thought that Rule should not apply to Bills which had passed through Committee. He had no doubt that the motives of any hon. Member stopping a Bill might be the highest with which man could be actuated. It was also true that he might be actuated by a crochet in which nobody else had any faith; and it seemed very hard, and scarcely respectful to the House, that a Bill of which the principle had been adopted and the clauses adjusted by the House should be stopped by a single hon. Member. If, however, the Chancellor of the Exchequer would agree to the proposal which he ventured to make, he did not believe that it would detain the House one day after the usual time of breaking up, and yet it would enable Bills affirmed in principle by the House to proceed to their legitimate end.

MR. SPEAKER: Does any hon. Member second the Amendment?

SIR ROBERT PEEL: Yes, Sir; I second the Amendment, although I did not catch its full import. So far as I understand it, it refers to Bills which have been under the consideration of the House, and which could not be considered after half-past 12. But my object in rising was more particularly to point out to the House——

MR. ONSLOW: I rise to Order. I wish to ask, Sir, whether it is competent for any Member to second a Motion of which he says he knows nothing?

SIR ROBERT PEEL: I did not say I knew nothing about the Amendment. I said I did not comprehend it quite fully; but I understood from hon. Members around me more or less of its import. I rise, however, more particularly to notice the surprise with which the Chancellor of the Exchequer has taken the House upon this occasion. No doubt, the right hon. Gentleman gave Notice of his intention to make this Motion; but it is one of so serious a character that the House can hardly be expected to pass it without comment. No doubt, the right hon. Gentleman has mentioned the Bills which are to be sacrificed. Among them is the Criminal Code (Indictable Offences) Bill; and it is obvious that, as there were no fewer than 280 Amendments on the Paper, it would be impossible to proceed with that measure. I must, however, point out to the Chancellor of the Exchequer the question which has been raised by an hon. Member opposite, and which, I think, is entitled to grave consideration by the House. I understand the Chancellor of the Exchequer has conceded two days for the discussion of important subjects—one to the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke), and the other to the hon. Member for Hackney (Mr. Fawcett). One of the Motions refers, I believe, to the provisions of the Treaty of Berlin with respect to Greece, and the other to the water supply of the Metropolis. There is another question, which certainly ought to be discussed before Parliament rises for the Vacation. The Chancellor of the Exchequer has given Notice that it will be necessary to take a Vote of Credit for the South African War. Now, I look upon that question as one of paramount importance to the House and to the country; and I think the Government ought not to be allowed to bring this Session to a close without the Chancellor of the Exchequer granting to Parliament an opportunity of once again fully discussing that question. It would be very inconvenient, and I should be loth to make a Motion for the adjournment of the House in order to bring that question before Parliament and the country; but I do hope the Chancellor of the Exchequer will see the necessity of granting to Parliament a day, in order that they may discuss a question which has greatly excited this country, on account of the enormous expenditure it must entail as well as on account of the gross mismanagement with which it has been conducted. Why, it was only in this day's papers I read a sermon, I think it was by Bishop Colenso, in which that worthy man prayed that the last serious occurrence, which everybody deplores, might be a harbinger of peace, and might bring to a close an unjust and unnecessary war, which has already occasioned the loss of the lives of 10,000 persons. I am allowed to discuss this question on the

Motion which has been made by the Chancellor of the Exchequer, and I propose to do so now, in the hope that the Chancellor of the Exchequer will accord the favour to Parliament and the country of knowing more about this question than we yet do. There is one other question to which I wish particularly to refer, and that is with reference to the recent unhappy event which has prevented me from putting a Notice on the Paper, as I had intended to do. That has reference not only to what is now occurring in South Africa, but also to answers given by the Secretary of State for War on two or three previous occasions during the Session. After the Isandlana disaster there was a Court of Inquiry held. It was supposed to be in secret, and it sent home a Report. We were informed that the authorities at the Horse Guards would consider the question of making known the Report; but, up to this moment, no information has been given to the public with reference to that Court of Inquiry. Then there was a Court of Inquiry held on the subject of the Zlobani Mountain disaster, where a gallant friend of mine, Colonel Weatherley, had his whole corps—99 men out of 100—cut to pieces. I hold in my hand copies of two letters from two officers who were present on that occasion, and also a touching letter from the father of a young officer who was killed, and it is distinctly charged that certain of the men ran away, and refused to support the corps of that gallant officer—Colonel Weatherley—although, if they had supported them, as they were well able to do, the whole of the corps would have been preserved. A Court of Inquiry was held upon that disaster. We know nothing of the result; it has been kept secret. But Parliament and the country ought to be informed what is the result of Courts of Inquiry when they involve circumstances which appear to trench more or less directly on the military capacity of the men who are engaged in conducting operations. In Afghanistan, a whole squadron of the 10th Hussars was swept away in crossing a river. A Court of Inquiry was held, and the Minister for War, in answer to two Questions addressed to him by a military Gentleman in this House, said, in effect—"You ought to know that Courts of Inquiry are secret, and that their results are not communicated to Parliament. Therefore, I cannot communicate to the House what is the result of the Court of Inquiry with reference to the loss of that corps of the 10th Hussars." The results of the Courts of Inquiry to which I have just referred have been kept secret from the time of the holding until the present, and I apprehend they will not be communicated to us. But the other day a Court of Inquiry was held in South Africa, which we are told is secret; yet the result of that Court of Inquiry was published at the Cape, and is known in this country. It was given in detail—article after article, charging a gallant officer almost with cowardice in the discharge of his duties. Upon that I offer no opinion; but I wish to point out the injustice of men, of whatever rank, being placed in that position, and being made the scapegoat of offences which, for aught we know, may be due to others. Let us have justice; let every man, however humble in rank he may be, have justice, and let him not be publicly abused unjustly. That Court of Inquiry apparently held its sittings with open doors. It reported against one man, and not against two. Upon that Court of Inquiry a court martial has been held. Upon that court martial the very man who, perhaps, is most to blame in that transaction, Colonel Harrison, sits as a member. I ask—"Is this justice?" Is this the way in which our military affairs are to be conducted? Everyone who reads the history of that military event, which everyone with a heart must deplore, will see that the man who has been sent home to this country under arrest is not the only man, apparently, who is to blame; yet the result of the Court of Inquiry at the Cape has been made public, and everything has been heaped on his head as if he only were guilty; whereas this country, from the beginning to the close of these proceedings, condemns throughout the whole of the transactions the miserably inefficient conduct of the man who has conducted these military operations —Lord Chelmsford. I would not have lost the present opportunity of once again calling attention to this before Sir Garnet Wolseley arrives to stop, I hope, further loss of life, further mismanagement, and a further incapable display of military enthusiasm. I hope that, at all events, this question which I have risen to speak upon will not be lost sight of in the country, and that others here will join with me in endeavouring to point out to the Government how necessary it is that Parliament should have an opportunity of again discussing a question which has so deeply roused the sympathies and feelings of this country. This is the question which I wish to put to the Secretary of State for War, and it is a question which must be answered before we proceed to the discussion of the Army Discipline and Regulation Bill. I have opposed that Bill from the beginning, not for the purpose of obstructing the progress of the measure, but because I believe it is fraught with injustice to the soldier. ["Order!"]

MR. SPEAKER: The right hon. Gentleman is clearly not in Order in discussing the merits of the Army Discipline Bill now.

SIR ROBERT PEEL: I beg pardon of the Chair. I was carried away by my feelings. I had intended putting a Notice on the Paper; but I deferred doing so till this week. I wish to ask the Secretary of State for War whether he will give any explanation as regards these Courts of Inquiry? Concealment, and worse than concealment, has been pursued as regards the Zlobani Mountain disaster, the Isandlana disaster, and also as regards what befell the troops of the 10th Hussars. Why have the results of those inquiries been kept secret, and why, in the case of Captain Carey—for I believe he is a captain now—has the result, as if it were to prejudge the case, been published at the Cape and in all the London papers? On the decision of the court martial, Captain Carey has been condemned and sent home to this country under arrest. This is a question which must be answered; and I again entreat the Government to give a day for a discussion on the War in South Africa. It is a question which goes home to the heart of everybody. It is costing us millions of pounds, and the lives of 10,000 human beings have been lost. The Government gave us assurances that they did not intend to make it a war of aggression, but merely a war of defence; whereas we read in the newspapers that Armies of from 10,000 to 20,000 men are advancing into the enemy's country. Surely those were facts which seemed to be inconsistent with the statement put forth by the Government. Now that the Government have promised to oblige the hon. Members for Chelsea and Hackney with a day for the discussion of questions in which they are interested, I hope the Chancellor of the Exchequer will give us an opportunity of discussing a question which is of paramount importance at this moment to the honour and interests of this country.

Amendment proposed,

At the end of the Question, to add the words "except in the case of Bills which stand for Consideration, as amended, or Third Reading."—(*Mr. Vans Agnew.*)

Question proposed, "That these words be there added."

COLONEL STANLEY: This is not the first time, Sir, that the right hon. Gentleman the Member for Tamworth has thought it convenient, and, I suppose, in accordance with what he believes to be his duty, to make a sudden, and, to my mind, a somewhat unjustifiable, attack upon the Government. He has attacked, without discrimination, all who are connected with the present unfortunate War in Zululand. I will say nothing as to the appropriateness of the occasion he has selected for his remarks. Only a few minutes ago, the Chancellor of the Exchequer stated that before long the House would be called upon to discuss and pass a Vote to meet the expenses of the Zulu War; and the right hon. Gentleman ought to have felt, as we all feel, that the proper occasion for the discussion of the conduct of the war will be when that Vote comes on for discussion. This is not the first occasion on which the right hon. Gentleman has come down and, taking advantage of his privileges, has made an attack on persons in command in South Africa without previous Notice. I hope the House will excuse me if I speak with a little feeling; but for any right hon. Gentleman to come down and discuss, without previous Notice to those who might otherwise have been in the position of defending them, the conduct of officers who have been concerned in the war, and to say that this movement, and that, and the other, had been disastrous and disgraceful, and reflected discredit upon all concerned—I say that, for a right hon. Gentleman to do this, and give no opportunity to those connected with the Service of ascertaining and making clear those facts which would enable a conclusive defence to be offered —that is, in my opinion, a course that is neither convenient to the House nor rightful towards the Public Service. With respect to the alleged concealment in the matter of the Courts of Inquiry to which the right hon. Gentleman has referred, all I can say is that, as far as that charge is thrown out against me, it will lie very lightly, for I have endeavoured upon all occasions to give the fullest and most ample information to the House and the public by such means as I believed most convenient and the most readily at hand. With respect to Courts of Inquiry, I have stated on various occasions already what, with the leave of the House, I will state again—namely, that it is not the practice, and I do not think it is right or prudent to lay the proceedings of Courts of Inquiry, as such, on the Table of this House. We have had during the progress of the Army Discipline and Regulation Bill through the House a good deal of discussion with regard to these Courts of Inquiry, and I have never hesitated to express my opinion that they were not to be used as criminal courts, but were to be used for the purpose of enabling the responsible officer, through the means of others, to ascertain facts which he could not easily ascertain for himself; that their proceedings were to be looked upon as communications made to him, and that it was to his opinion only I would look. In the case of the Isandlana disaster, a great many facts were ascertained by the Court of Inquiry; and I did depart from the usual course, and did communicate to the House the substance of the facts which the Court had elicited. [Sir Robert Peel: Zlobani.] With respect to that and other cases, I think the House will not expect me, without Notice, to enter upon a defence which, though I have no fear on my own account or that of others, yet, not having all the facts before me, would not be as complete as I should otherwise make it. As to relieving one officer from blame at the expense of another, as the right hon. Gentleman has said, I will observe that no word has ever escaped me in this House which would lead anyone to think that I would allow a particle of blame to be thrown upon anyone with my knowledge until the facts were before me. I have received the same information as other persons about the court martial which sat upon Captain Carey. The evidence is not before me. I have seen the statement that the trial has been held; but I have had no opportunity up to the time when I came down to the House of knowing what the decision of the court martial was, nor have I had any of the facts before me. The proceedings of the court martial had not reached the War Office; whether they had reached the Judge Advocate General I do not know. I would once for all deprecate, if the right hon. Gentleman would allow me, this system of making attacks without Notice upon persons whom the Government, from want of Notice, may not be in a position to defend as completely as would otherwise be in their power. I hope the right hon. Gentleman, if he has any other accusations of this kind to bring, will, at all events, do me the courtesy of giving such Notice as will enable me to make a sufficient reply for those in whose defence I am bound to appear.

Mr. NEWDEGATE said, he was very glad that the House was disinclined to take upon itself the command of an Army in the field; but he regretted that, in reference to military matters, and especially those military inquiries, the right hon. Baronet the Member for Tamworth, and other hon. Members who had addressed the House, should have virtually disregarded that which was a Rule of the House—that the House would not by debate interfere in any matter that was brought to trial *pendente lite*, lest injustice might thence be done. He had not a word to say in defence of any of the officers mentioned; but he did hold that those officers had a right to a fair trial before competent tribunals, and that this House would do well to show, in their cases at least, the same delicacy which it was its wont to observe as to expressing any opinion with respect to the innocence or the guilt of any civilian whose conduct was likely to be brought before any of the Courts. His main purpose, however, in rising on this occasion was merely to express a hope—having heard that a most important educational measure was likely to reach the House at so late a period of the Session—that the Chancellor of the Exchequer had asked independent Members to give up to the

Government nearly the whole of the time belonging to them; and if any such measure should raise a wide discussion, and was met with many Amendments, it would not be proceeded with in a thin House during the present Session. [An hon. MEMBER: What measure?] He (Mr. Newdegate) would not be in Order if he were to refer to this measure more distinctly. But he would, however, quote an analogous case. He had seen in the last Session of Parliament a very important educational measure, connected with Ireland, passed in a thin House, when not more than one-fourth, or at the most one-third, of the Members of the House could be assembled; and he hoped that, in the instance he contemplated, Her Majesty's Government would not incur the grave responsibility of taking advantage of the weariness and thinness of the House to pass a measure with Amendments that might be attempted, but which the House, when fully assembled, might not, and, he believed, would not approve. With reference to what had been said on the subject of the conduct of the Business of the House, and as to who were responsible for the delay, of which the whole country was sensible, he would only observe that the causes of that delay could easily be traced by an analysis of the proceedings and debates of the House, and that he could conceive of no subject which more than that would be worthy the early attention of the House in the next Session of Parliament.

Sir JOHN LUBBOCK said, he did not rise to oppose the Motion of the Chancellor of the Exchequer, which, indeed, he thought reasonable under the circumstances; but he hoped the Government would give their favourable consideration to the Amendment. He had charge of a measure which had passed several times through second reading, and he continually received letters asking him when the third reading would be taken. He had some difficulty in making his correspondents understand that one Member could, by using—he would not say abusing—the Forms of the House, prevent a measure from passing. He submitted to the House that to accept the Amendment would give effect to the wishes of the House, and the expenditure of a little time now would save a great deal next Session.

MR. BERESFORD HOPE had supported the Ancient Monuments Bill throughout, and would do so again; but, even to pass it, nothing would induce him to tamper with the Half-past 12 Rule, which he held to be invaluable, not less with a view to the Business, than to the health of the House.

MR. DILLWYN said, he did not think any time would be gained by taking Tuesdays and Wednesdays if the proposed Amendment were adopted.

MR. SULLIVAN took that opportunity of reminding the Chancellor of the Exchequer of his promise to produce the instructions given to Sir Garnet Wolseley. Now that he had arrived in South Africa, there should be no further delay in laying them on the Table. It was of great importance, as the House was about to adjourn in two or three weeks, that they should know whether the country was on the verge of a prolonged war. He observed from the latest information that the Army in South Africa was steadily advancing; and it was, therefore, most necessary they should know what really were the instructions which had been given to Sir Garnet Wolseley. He should also like to know whether the Government seriously intended to introduce to the notice of this House the famous University Bill, of which they had heard something "elsewhere?" If they did, he thought they would be like the sailor who cut off a few inches from the top of his blanket and sewed them on at the bottom. A great deal had been said about obstruction; but there was one serious form of obstruction to which sufficient attention had not been drawn, and that was the manner in which certain hon. Members availed themselves of the Half-past 12 o'clock Rule, in violation of the universal sentiments of the House, to stop the further progress of Business. The other day he asked for a Return with regard to the state of public business in Dublin, which he believed the Government were prepared to grant. He had seen sworn affidavits that in certain offices suitors had to wait for three or four years for a return of their accounts in Chancery. He had, however, no sooner put his Notice on the Paper than a Member on the Government side of the House put a blocking Notice against it, and thus the public of Ireland were precluded from getting information which they had a right to receive. Again, last Friday he asked for a Return as to the arrests for drunkenness on Saturday in Dublin. The information existed in Dublin, and he believed the Government would have allowed its production, because it was not a matter calling for the expression of any opinion; but it was simply asking for public statistics, which would show their own tale. A Government supporter, however, had availed himself of this vicious system of obstruction, and had placed a Motion on the Paper opposing the granting of the Return after half-past 12 o'clock.

THE MARQUESS OF HARTINGTON: Sir, it is probably convenient that considerable latitude should be given to a discussion of this character; but I must say that some of the subjects introduced, especially in the speech of my right hon. Friend who seconded the Amendment, appeared to me somewhat irrelevant. I must say I could see no connection between his speech and the Amendment relating to the third reading of Bills which had reached that stage. But, no doubt, my right hon. Friend saw some connection, which he was unable fully to explain to the House.

SIR ROBERT PEEL: Does the noble Lord say I cannot explain the connection? ["Order!"] I beg to explain the connection I saw. The Chancellor of the Exchequer opened the full ground of discussion on the questions that were to come before us, and I took the liberty of calling the attention of the House to one which I thought important.

THE MARQUESS OF HARTINGTON: The speech of my right hon. Friend may have been a protest against the Motion; but, as a matter of fact, he did not speak on that Motion. He seconded the Amendment of the hon. Member for Wigtownshire, which had reference to the third reading of the Bills which had reached that stage. Whether it was appropriate or not, it is to be regretted that a question of the kind he brought forward should have been introduced, as the Secretary of State for War complained, without Notice. My right hon. Friend complained that the proceedings of certain Courts of Inquiry had not been laid on the Table; and he also made some very strong comments on the mode in which military operations had been conducted in South Africa. Now, as to Courts of Inquiry, I have not observed that my right hon. Friend has placed any Notice on the Paper for the production of Papers relating to Courts of Inquiry which he desires to see, and if he wishes to call in question the conduct of military operations in South Africa he will have an ample opportunity of doing so when the Vote of Credit is proposed. My right hon. Friend is really the most irregular Member in the House.

SIR ROBERT PEEL: I rise to Order, Sir. I wish to know, Sir, whether those words are Parliamentary in the spirit in which they were uttered, and whether it is justifiable for the noble Marquess to apply them to a Member of this House?

MR. SPEAKER: The noble Lord has made no observation which calls on me to interpose.

THE MARQUESS OF HARTINGTON: If I have said anything offensive to the right hon. Baronet I should wish to withdraw it. I will withdraw the observation that my right hon. Friend is irregular, and I will say that his conduct is extremely irregular. My right hon. Friend seems to think we are here, not for the purpose of doing any Business, or even for the purpose of formally discussing the Motion on the Paper, but simply for the purpose of hearing eloquent speeches from him at the time and season he considers it most convenient to deliver them. I do not want to go further into the discussion of the subject which has been raised. I would only say, with regard to the speech of the hon. Member for Dungarvan (Mr. O'Donnell), and the speech of the hon. Member for Mayo (Mr. O'Connor Power), that they appear to me to raise some very important questions for the consideration of the House, although they did not do so at any unnecessary length. I have said, in the course of discussions in the present Session, that much of the delay in the progress of Public Business is owing, undoubtedly, to the fact that this House undertakes to do a great deal more Business than it is possible for it to do. I have expressed the opinion that until the House very seriously considers the manner in which it conducts its Business, and is willing to undertake a much greater control over the Business which comes before it, we shall find this a constantly increasing evil. As to the observation of the hon. Member for Mayo, that a remedy may be found in allowing Local Bodies to transact more of their own local affairs than they do now, I do not think there is any very great difference between him and the House upon the subject. We should all be willing to entertain any reasonably conceived proposal to transfer some Business from this overworked House to Local Bodies. There may be a difference of opinion when we come to consider what those local affairs are, and what the Local Bodies which are to transact them may be. It seems to me this House would be willing to give a full and favourable consideration to that subject whenever it may be brought forward. The immediate object with which I rose was to ask the Chancellor of the Exchequer to let us have a clear understanding as to the engagement he gave the other night about the Motion of the hon. Member for Chelsea (Sir Charles W. Dilke) about the Berlin Treaty. Perhaps the right hon. Gentleman would be willing, in present circumstances, to give the 22nd of July, for which the Motion now stands in the Notice Paper; but it would be as well the understanding should be made clear, and also that it should be understood whether the Motion stands for the Day Sitting, or only for the Evening Sitting after 9 o'clock. I would even express a hope that the Government would see their way to giving the whole day to the discussion—a course which, in the end, would probably be the most convenient to them, as the subject is a large one; and if the debate were commenced at 9 o'clock a Motion for adjournment could hardly be resisted, and would involve the loss of another day; whereas, if the whole day were given, the subject would probably be disposed of at one Sitting.

MR. C. BECKETT-DENISON quite agreed with what had fallen from the noble Marquess, that much time would be saved if hon. Members would confine their observations to the subject immediately under discussion. But it was not to be wondered at that when the Government sought to secure all the available time of the House except Friday evenings and the occasions when Supplementary Estimates would be submitted, individual Members interested in particular subjects should take the opportunity of offering some remarks on the position in which they were placed. It depended on the arrival of despatches from South Africa when the Chancellor of the Exchequer would be able to submit Supplementary Estimates; but, no doubt, he would take the earliest opportunity consistent with the demands of other urgent Business. As to the court martial, it appeared to be possible that the subject might pass out of public ken and discussion before there would be an opportunity of saying a word on the subject in the House. The proceedings might be submitted to Her Majesty for confirmation before anybody in the House had the opportunity of asking a question upon them. He did not wish to prejudge anything; but if the court martial should result in pains and penalties to one man only of all the officers concerned in the lamentable occurrence, there would be a strong feeling of indignation in the country.

MR. E. JENKINS said, that when these gusts occurred between Members in high latitudes, Members below the Gangway naturally felt it was their duty to let them blow themselves out. He, however, felt some doubt as to the propriety of the attack which had been made by the noble Lord upon the right hon. Baronet, seeing that every possible obstacle had been put in the way of the discussion of the subject which the right hon. Gentleman wished to bring before the House. The Government must not be surprised if irregular opportunities were taken for bringing forward subjects when other advantages for doing so were regularly refused. He trusted that the Chancellor of the Exchequer would adhere to his former assurance that the South African question should be discussed in the month of July.

MR. HUSSEY VIVIAN desired to know whether it was intended to pass the Noxious Gases Bill?

MR. CHAMBERLAIN asked whether the Government were prepared to drop that portion of the Public Works Loans Bill to which many hon. Members of the House objected, in order to make the Bill similar to that which was usually passed for supplying the necessary funds to the local authorities? If that were acceded to, he believed that the progress of the Bill would be very much accelerated.

Mr. O'CLERY said, he wished to say a few words as to the desirability of passing a measure which, in his humble opinion, was one of vast national importance—he meant the Bill authorizing the enrolment of Volunteer Corps in Ireland. It had passed a second reading after considerable discussion; it had been in Committee, and had been brought up on Report; and it now stood for third reading. But Notice of opposition had been given, and that Notice, under the Half-past 12 Rule, virtually took away all chance of passing the Bill into law this Session. He earnestly entreated the hon. Member for Armagh (Mr. De la Poer Beresford), who had placed the Notice on the Paper in the exercise of his undoubted right, to withdraw the Notice. The hon. Member was present when the Bill was in Committee, and he never made the slightest sign of opposition, and he was present when the Report of the Committee was submitted, and the question was put whether there was any Amendment, and he was silent. Failing that appeal, he (Mr. O'Clery) must urge on the Chancellor of the Exchequer the expediency of his affording facilities for the Bill to be passed. He ventured to say that there was not a Member in the House, except the hon. Gentleman the Member for Armagh, who was opposed to the measure; and it would cause dissatisfaction in Ireland, if a measure of that kind, to which no one had made any objection, were killed by what he did not fear to call deliberate obstruction. The hon. Member had given no reason whatever for his action. He (Mr. O'Clery) had abstained from opposing the Vote for English Volunteers, because he considered there was a reasonable chance of his Bill being passed; but it must be remembered that at present Irish money was taken for English Volunteers, while Irishmen were denied the right of bearing arms in the national defence. He hoped the Chancellor of the Exchequer would give him an opportunity of submitting the Bill to a third reading before half-past 12.

Mr. MITCHELL HENRY said, he had listened with the greatest possible pleasure to the remarks of the noble Lord the Leader of the Opposition, who had shown that he was quite aware that in every deep there was a deeper still. Hon. Members below the Gangway on that side were accused of extreme irregularity, and he was glad that the noble Lord had been able to find an instance of still greater irregularity on the Conservative side. He (Mr. Mitchell Henry) begged the House to remark that the only person who had really risen to the height of that great occasion—the sacrifice of the innocents which occurred once every Session—was his hon. Friend the Member for Mayo (Mr. O'Connor Power), who pointed out that there was only one remedy for the annual holocaust, and that was to remove from the House a considerable portion of the work which the House was incompetent to pass, not only from want of time, but on account of its ignorance. It was utterly impossible that hon. Members living in Great Britain could know what were the feelings and wishes of persons living in Ireland; and every year irritation was caused by the rejection of measures brought forward by the Representatives of Ireland. Well, who had attempted to remedy that state of things, and to enable the House of Commons to discharge its duties to the country? Only one class of Members—that class called Home Rule Members. When the noble Marquess spoke of its being desirable to adopt some method of removing a great mass of local legislation from the House when local legislation stopped the way, whom had they a right to expect to put out a helping hand? Undoubtedly, the responsible Leaders in the House. They—the Home Rulers—had made their proposition for self-government, and the House rejected it by an immense majority; but the evil still remained, and even those who were most opposed to that proposal now began to feel where the shoe pinched. Year by year it would become more and more impossible to avoid those disagreeable scenes which had occurred in the House this Session, and to prevent the country from feeling that the House of Commons had lost its hold over the people, because it was unable to perform its work. What were the Bills of the Government? There were, among others, the Army Discipline Bill, the Criminal Code Bill, and a Bill on Banking. Would not these three Bills, if properly discussed, be enough for a single Session? If the whole time of the House had been given to them, it would have been a good year's work to pass them into law. But these measures were constantly obstructed by other Bills—Bills relating to other portions of the United Kingdom as well as to England. The noble Marquess had shown that he was alive to the subject, and he (Mr. Mitchell Henry) hoped the Government would become alive to it too. The Government had showered its blessings on Ireland by dangling before that country measures which were to be introduced; but had not brought any of them near enough to be grasped. Let the Government next year bring in a measure to remove from the House of Commons this mass of legislation, or if the occupants of the two Front Benches should change places, let the noble Marquess himself bring in a measure of the kind. But before the Session closed, and Home Rule Members were sent home with the stigma which it was sought to lay upon them of obstructing the Business of the House, let the Government do them the justice to show that they were the only persons who had ever made a proposition to the House which would radically cure the congestion of Business. Hon. Gentlemen had immense reason to complain that, after they had brought their Bills up to the third reading, they should be unable at the last moment to carry them further; and the Chancellor of the Exchequer might very well accede to the appeal just made to him, and allow facilities for passing the Volunteer Corps Bill, the only measure relating to Ireland which had anything like conciliation in it. He (Mr. Mitchell Henry) supposed the appeal would be of no use, and that next Session they would have a similar list of measures introduced which would have to be similarly sacrificed at the close, and that there would be the same wrangling and recrimination as before, because the Government would not take the proper steps to remedy the evil.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am perfectly aware that every year, when it is necessary to make arrangements for abandoning certain Bills, it is only natural that observations should be made, and that hon. Gentlemen interested in particular measures should criticize the proceedings of the Government. We are by no means unwilling to be criticized, as our Predecessors have been; but I cannot help thinking that on the present occasion the discussion has travelled somewhat beyond due bounds. The South African War is, no doubt, a subject of great importance and interest; but after the announcement I made that a Vote of Credit would be asked for, and considering, as I have to-night been reminded, that I have pledged myself to bring it forward in the month of July, I think it would have been more convenient had the right hon. Baronet (Sir Robert Peel) abstained from the observations he has made. Fragmentary discussion on the subject is not convenient, and it is rather hard that we should hear observations made which are a prejudging of a case which is not now fully before us. I cannot admit, Sir, that the abandonment of Bills necessarily involves a waste of time. The discussions to which they give rise are sometimes very advantageous in paving the way for the passing of measures in a subsequent Session. For example, the Criminal Code Bill, which the Government were so reluctantly obliged to drop, could hardly fail to gain, when next introduced, by the criticisms which have been passed upon it this Session. The noble Lord opposite has asked me what we propose to do with reference to the Motion of the hon. Baronet (Sir Charles W. Dilke)? The hon. Baronet has put his Motion down for the Evening Sitting to-morrow week, and I have promised that I should give him that evening, or some corresponding evening, in the event of the House agreeing to the proposal which we now make. I think it would be convenient that the discussion should be taken upon the day originally fixed, and I am afraid it may not be in our power to dispense with a Morning Sitting on that day; but I should be glad to be allowed to think a little over the subject before making final arrangements. At all events, we shall not propose to take that particular evening for Government Business. Should the proposal which we have now made be agreed to, we shall not propose to meet to-morrow until 4 o'clock. A question has been put to me as to the Noxious Gases Bill; and it is our intention to proceed with that measure. In regard to the Public Works Loans Bill, I shall shortly state the course which it is the intention of the Government to take. With respect to the Amendment of my hon.

Friend behind me, I am quite aware of the mortification which hon. Members must feel when, having brought their Bills to a certain stage, it is seen towards the end of a Session there is some doubt as to their reaching a conclusion. At the same time, it should be remembered that the fate which befalls these Bills is owing, in a large measure, to a Rule which the great majority of the House have decided upon—namely, the Half-past 12 Rule. The Rule is not one which the Government have pressed; but it has been passed, as I have said, by the great majority of the House, though opposed, I am bound to say, by the hon. Baronet the Member for Maidstone (Sir John Lubbock). For my part, I am always desirous of doing all I can to facilitate the progress of Bills in the hands of independent Members, having due regard to the Government time; and, so far as it is in my power to do so, I have supported the Bill of the hon. Member for Wexford (Mr. O'Clery). I should be very glad that that Bill, and the other Bills referred to, should make progress; but Her Majesty's Government are specially bound to consider the Bills which they have themselves introduced, and I fear I should lay myself open to the charge of having held out false hopes, if I promised to place at the disposal of private Members time which the Government require for the advancing of the Public Business. I cannot, therefore, accept, and I hope the House will not assent to, the Amendment which has been moved. A question has been asked by the hon. and learned Member for Louth (Mr. Sullivan), as to a Bill which is before the other House of Parliament. I hope that that Bill will pass the other House and be submitted to the judgment of the House of Commons in a way and at a time which will be convenient to hon. Members. It is a Bill which ought not to be dealt with hastily or negligently, and I hope the House will have a full opportunity of considering it. With respect to the second question of the hon. and learned Member, as to the production of the instructions given to Sir Garnet Wolseley, I am not in a position to answer it at this moment, and, probably, the hon. and learned Member will give Notice of the Question for Thursday; but I trust the whole South African controversy will find its proper field when the Government come forward to ask for a Vote of Credit. I wish to express my acknowledgments to hon. Gentlemen for the manner in which the proposal has been received. It is always the desire of the Government so to arrange the Public Business as best to consult the convenience and save the time of the House; and in making this proposal I have only kept that object in view.

Mr. PARNELL said, the Chancellor of the Exchequer had very truly said that discussions upon second readings might materially advance and assist public opinion in arriving at a conclusion, even though Bills were abandoned for the Session; but in dealing with the Amendment of the hon. Member behind him let him consider how often a private Member's Bill should receive a second reading before becoming law. There should be some limitation drawn with regard to Bills repeatedly sanctioned, both in principle or second reading, and in detail by Committee; for it was an obstruction to Business to refuse such a Bill an opportunity of third reading. There was the University Bill, which had four times received the sanction of the House, and to postpone such a Bill indefinitely by relegating it to another Session was to waste all the time spent in bringing the measure up to the stage of Committee, and almost to the point of completion. It was sinking the ship when entering port. The Chancellor of the Exchequer might well have treated the Amendment more fairly, and his reference to the Half-past 12 Rule as a Standing Order deliberately affirmed and adopted, after mature consideration by the Committee on Public Business, was quite beside the question. The Amendment of the hon. Member did not, in any way, meddle with the Rule; but simply asked that Bills in the hands of private Members, having reached the stage of "Report," or of third reading, should be excepted from the Motion of the Chancellor of the Exchequer. That was a fair proposal. There had been of late a strong and growing tendency to encourage the idea, and to persuade the House, that there was no Public Business, except that brought forward by the Government of the day, every other Business being unworthy of consideration. Yet the business of private Members was often of the most important character, for it indicated the wants and the interests of constituencies throughout the country, and such as no Government could hope to deal with. These Bills were to the Government a sort of barometer to indicate the wants of the country. It was impossible to suppose that, with different nationalities and so many different interests represented in the House, Government could be accurately informed; and he really thought that a Bill, having passed through the ordeal of first and second reading and Committee, should have equal opportunities with Government Bills. In fact, the Committee on Public Business recommended such a course; and the Amendment now proposed simply sought to carry out that which the Chancellor of the Exchequer did not think fit to include in his Resolution at the beginning of the Session. It might be asked, how had the Government utilized the time accorded to them? The Government had surrendered to them by the House the right of moving Motions or going into Supply on Monday, and, in return, Government had undertaken to keep Supply down as the First Order on Mondays until all the Supplies were taken. But Government seemed to have forgotten that promise, and the House was in this position. To hasten the Army Bill, Irish Votes had been postponed to the later period of the Session. For a couple of Sessions Irish Members had been looking forward to the Irish Votes as the opportunity for bringing forward matters important to Ireland; but Irish Votes were postponed till the end of the Session, and then brought forward with a rush. The Government, having secured English and Scotch Votes, they dropped the practice of putting down Supply for Mondays, and pressed forward the Army Bill. He did not know whether he should be in Order in referring to some charges made against a section of the Irish Members in the public Press; but as he might not have another opportunity of referring to the matter with Mr. Speaker in the Chair, he should like, with the permission of the House, to say something which he thought would be appreciated by it. Against a number of them the most flagrant charges had really been made by the English newspapers within the last few days—charges which he thought would have constituted a breach of Privilege, but which he did not wish to treat as such, from his desire to save the time of the House, and also because he thought a reference might be made to the matter in the course of the discussion on the conduct of Business. Members of that House had been charged with a deliberate intention to bring Parliament and that House into contempt by endeavouring to obstruct Public Business. Nothing could be more false or unfounded than such a charge. It would, indeed, be an absurd way for an Irish Member to endeavour to obtain the restoration of the legislative rights of Ireland by endeavouring to bring into contempt the proceedings of that House. He denied that he ever had such an intention, and he branded as an unmitigated falsehood the statement that had been made that he intended to damage that House in any respect whatever. He had certainly endeavoured to damage the Government, and at all times to hit as hard as he could with the small means at his command; and if the noble Lord the Member for the Radnor Boroughs (the Marquess of Hartington) had misunderstood his action, he wished to tell him that the only real and effectual opposition which had come from any part of the House, in regard to the measures of domestic legislation introduced by the Government, and which had been justified by results, had proceeded from a section of Irish Members, who had been branded as Obstructionists, and to whom motives of the most extraordinary character had been imputed. If the noble Lord the Leader—he would not say of the Opposition, but of the casual assistants of Her Majesty's Government—had, with the great weight which his influence and position in the House gave him, devoted his attention, as they had done, to improving the legislative measures of the Government, a vast amount of public time, which had been wasted in the struggle of the Government with a small minority, would have been saved, and there would have been no need for them to have been so pertinacious as they had been in order to overcome the unreasonable opposition of the Government. The noble Lord had, unfortunately, chosen a different course. He had chosen to follow Lord Beaconsfield in his foreign policy. He did not wish to criticize that policy; but he was bound to say that the policy of Lord Beaconsfield, which he commenced, not as part of his original programme, but after that Parliament had been a year or two old, had been a great deal more successful than had the domestic legislation of the Chancellor of the Exchequer in that House. The noble Earl had been successful in carrying out his policy against the opposition of the noble Lord the Member for the Radnor Boroughs; but the Government had not been successful in that House in their policy of carrying imperfectly conceived measures without an Amendment. That was notoriously established in the Sessions of 1877-8, and again this Session. He thought it necessary to refer to charges which were as absurd as they were untrue. He, and those who agreed with him, did not wish to throw out the Army Discipline and Regulation Bill. In fact, he should be very sorry if it were thrown out. All they asked was that reasonable time should be given for the consideration of the Amendments to that measure. There was yet ample time, without having recourse to such a measure as that which was adopted on the South African Bill, for which they were now paying the penalty. But even if there should not be time, it would not be difficult to renew the old Mutiny Act, reducing the number of lashes to 25. That would not be so dreadful an alternative to have recourse to. He thought the spectacle of one side of the House embarking in a physical contest—not a contest of brains — against the other would be one that would not result to the honour and dignity of the House. He, therefore, asked the Chancellor of the Exchequer to give Irish Members English fair play in connection with the Army Discipline and Regulation Bill —a course of conduct which would evoke Irish fair play from himself and his Friends.

Mr. O'DONNELL said, that if the announcement of the Government, that they intended to get through the Army Discipline and Regulation Bill, was the reason for making this demand on the time of private Members, he, for one, would suggest that the best thing they could do was to renew the old Mutiny Bill until next year, and have the Army Bill brought in again next year after due consideration. If anyone would compare the simplicity and humanity of the provisions of the German Army Bill with those of the Government Bill, they would be ashamed of the time that had been expended on the latter.

Mr. VANS AGNEW expressed his willingness to withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Resolved, That, for the remainder of the Session, Orders of the Day have precedence of Notices of Motions upon Tuesdays, Government Orders having priority; and that Government Orders have priority upon Wednesdays.

AGRICULTURAL DEPRESSION.

HER MAJESTY'S ANSWER TO THE ADDRESS.

The COMPTROLLER of the HOUSEHOLD (The Earl of Yarmouth) *reported* Her Majesty's Answer to the Address, as followeth:—

"*I have received your Address, praying that a Commission may be issued to inquire into the depressed condition of the Agricultural interest and the causes to which it is owing, whether those causes are of a temporary or permanent character, and how far they have been created or can be remedied by legislation, and I have given directions that a Commission shall issue for this purpose in accordance with your request.*"

ORDERS OF THE DAY.

Ordered, That the Orders of the Day which are appointed for To-morrow, at Two of the clock, be deferred till To-morrow.

ORDERS OF THE DAY.

ARMY DISCIPLINE AND REGULATION BILL—[Bill 88.]

(*Mr. Secretary Stanley, Mr. Secretary Cross, Mr. William Henry Smith, The Judge Advocate General.*)

COMMITTEE. [*Progress 10th July.*]

Bill *considered* in Committee.

(In the Committee.)

Clase 3 (Division of Act).

Mr. J. BROWN thought that if the definitions of the Bill were brought to the front of it, its provisions would be rendered thereby much plainer and more easily understood by those persons to whom it was applicable. There could be no stronger argument in favour of the Amendment which he had to propose than that drawn from their experience of the course of this Bill through Committee; for it would, he thought, be admitted that if hon. Members had had the definitions presented to them in the first part of the Bill, instead of at the end of it, they would have better understood its application, and much time would in consequence have been saved. For instance, it was not until a comparatively late clause was reached that the Committee knew whether the term "soldier" included non-commissioned officers or not, and from that circumstance great confusion had resulted. He was quite sure, inasmuch as the Bill was to be interpreted by soldiers and not by lawyers, who would, of course, turn to the Definition Clauses at once, that it would be much better understood if the definitions were placed in the front of the Bill. The necessity for a clear view of the application of the Bill was especially apparent in the case of soldiers being called out for the suppression of riot, when, perhaps, without their being aware of it, they immediately entered upon active service, which fact, if it were not made perfectly clear and put plainly before the soldier, might be the cause of his getting into difficulty when so called upon. In these circumstances, and seeing that the Definition Clause had been postponed, he trusted that the Secretary of State for War would agree to the Amendment standing in his name. He moved to insert in page 1, line 14, after "Part I.," the words "Definitions and," for the purpose of securing the object which he had indicated.

COLONEL STANLEY saw in the arguments of the hon. Member for Horsham (Mr. J. Brown) no sufficient reason for the insertion of definitions in a place which, in his opinion, did not belong to them. He thought that, perhaps, some time had been lost to the Committee by the Bill not having, in some cases, been thoroughly read beforehand, which might otherwise have been saved; but he hoped the Amendment would not be pressed.

Amendment *negatived*.

Clause *agreed to*.

Clause 69 (Power of Her Majesty to make rules of procedure.)

MAJOR NOLAN said, he had rather expected some statement from the Secretary of State for War with regard to this clause. When the Bill was introduced, a good deal of capital, so to speak, had been made out of the circumstance that the Articles of War were to be abolished; but he wished to point out to the Committee that the new clause referred to by the right hon. and gallant Gentleman would, practically, give powers to make Articles of War. The present clause also gave power to alter matter in the Bill of a very serious character, which had been discussed by the Committee. It was true that nothing was to be done contrary to this Act; but it appeared to him extraordinary that the Secretary of State for War should claim for himself power to change the constitution of courts martial. He could not imagine any case in which the Secretary of State for War could exercise the power of changing the constitution of a court martial, without doing a thing contrary to this Act. The power seemed to him to be unnecessary; but if the Secretary of State for War would show him in what cases it would be useful, he would, of course, withdraw his Amendment. He moved, in page 38, line 22, to leave out the words "and constituting," thinking that the constitution of courts martial should remain sacred.

COLONEL STANLEY said, he could not help thinking that the hon. and gallant Member for Galway (Major Nolan) had been under a misapprehension with regard to this clause. As far as he (Colonel Stanley) had been able to ascertain, by inquiry from competent advisers, nothing could be more clear than the fact that the section in no way authorized any Secretary of State to depart, in the slightest degree, from the course prescribed in the clauses of the Bill. The powers of the present section referred to small matters of procedure which could not be allowed to encumber the Bill, and which from time to time might have to be altered. For instance, the Volunteers had a right, under certain circumstances, to have courts martial composed of their own officers. That was a rule which from time to time might have to be modified, and, amongst others, afforded an instance in which the power of the clause would be useful. He repeated, that he had been advised, on the best authority, that nothing in the section gave power to the Secretary of State to go one atom beyond this Act.

Mr. HOPWOOD wished to point out that the statement of the right hon. and gallant Gentleman, that the object of the section was the regulation of small matters of detail, was surpassed by the language used in the clause itself.

Sir HENRY JAMES suggested that the following words should be added at the end of the clause—

"Provided always, That no such rules shall contain anything contrary to the provisions of this Act."

Major NOLAN said, he would withdraw his Amendment, and would not move the next Amendment standing in his name.

Amendment, by leave, *withdrawn.*

Colonel STANLEY moved, to add after the word "say," in line 21, the words "the assembly and procedure of courts of inquiry."

Amendment *agreed to.*

Major NOLAN said, that the clause was entirely new, and that reference was made to its provisions neither in the old Mutiny Act nor in the Articles of War. It was a very sweeping thing to say—

"Subject to the provisions of this Act, Her Majesty may, by rules to be signified under the hand of a Secretary of State, from time to time, make, and when made, repeal, alter, or add to, provisions in respect of the following matters, or any of them; that is to say . . . (7.) Any matter in this Act directed to be prescribed."

The words appeared to him to embody the general sense of the Bill as it existed before it went through the Committee, and to give enormous power to a Secretary of State which had never been conferred by the old Mutiny Act. He moved that sub-section 7 be left out, in order that an opportunity might be given to the Secretary of State for War to afford some explanation.

Colonel STANLEY thought that the hon. and gallant Member for Galway (Major Nolan) had overlooked the fact that the rules of procedure were, for the first time, being made Parliamentary. These rules were, in future, to be laid before Parliament. The clause was, undoubtedly, a new one, and alluded to a great many matters which could not possibly be recited in this Act; but he wish to make it clear to the hon. and gallant Member that by it nothing could possibly be done contrary to the Act. The sub-section in question was intended to apply to such things as the forms prescribed in cases where regimental returns were required to be made up by officers, and which, from time to time, might have to be modified.

Amendment, by leave, *withdrawn.*

Sir HENRY JAMES moved to add after the word "law," in line 35, the words—

"Provided always, That such rules shall contain nothing contrary to or inconsistent with the provisions of this Act."

Amendment *agreed to.*

Sir ROBERT PEEL moved, in page 38, after line 42, to insert—

"Whenever a court of inquiry is assembled to investigate any matter affecting the conduct or character of an officer or soldier, such officer or soldier shall be entitled to receive a copy of any opinion which may be delivered by such court; and, if the officer who convenes the court of inquiry shall prefer to instruct the court to receive evidence only and not to deliver an opinion, the officer or soldier whose conduct or character has been called in question shall be entitled to demand that the officer who convenes the court of inquiry shall himself deliver an opinion upon the matter which has been the matter of investigation, and a copy of such opinion shall be delivered in writing to the officer or soldier concerned."

Colonel STANLEY remarked, that he had already proposed rules with regard to Courts of Inquiry which had been laid upon the Table of the House.

Sir ROBERT PEEL said, that they had proceeded so rapidly through the Bill that he was not aware that it was proposed to put these rules in the Bill. He had intended to have put a Notice on the Paper with regard to this matter; but, owing to certain circumstances, was prevented from doing so. With respect to the observations of the noble Marquess, referring to him in the discussion which had preceded this matter, he thought that the Committee would agree with him that they were fully entitled to consider the bearing of these provisions with respect to what had recently occurred in South Africa.

The CHAIRMAN remarked, that the right hon. Baronet would not be in Order in referring directly to what had passed in the House.

Sir ROBERT PEEL said, that he wished to point out that he considered it would be very desirable that the proceedings of these Courts of Inquiry should be as clear as possible, and in support of this it was only necessary to mention a recent case which occurred at the relief of Ekowe, where a Court of Inquiry was held upon a sergeant, who was sentenced to five years' penal servitude. The sentence of the Court was sent for revision to the Judge Advocate, and the non-commissioned officer returned to this country. It was found, on inquiry at home, that the evidence was so much in favour of the sergeant that he was allowed to join the 3rd battalion of the 60th Rifles. He thought this matter was really in point to show how necessary it was to bring these Courts of Inquiry before the attention of the House. He would point out that it was highly desirable that the Government should lay upon the Table of the House the proceedings of the different Courts of Inquiry that had been held during the course of the present year. A Court of Inquiry was held with reference to the accident that happened to the 10th Hussars in crossing the Cabul River, when a troop was washed away. An hon. Member opposite asked the Government whether the proceedings of the Court of Inquiry which investigated the cause of the disaster had been forwarded to this country to the proper authorities. In reply to an inquiry addressed to them by the hon. and learned Member for King's County (Mr. Serjeant Sherlock), the right hon. and gallant Gentleman the Secretary of State for War stated that the decisions of those courts had hitherto been kept secret, and that there was no reason, in the particular case referred to, to depart from the ordinary rule. It was very important to notice the reply which the right hon. and gallant Gentleman the Secretary of State for War gave to that question, for it showed how the Government had changed its opinions on this point since the 26th of June. It now appeared by the regulations which had been put into the hands of hon. Members that morning that the Government were prepared to allow the officer or soldier, tried by a Court of Inquiry, to have a copy of the opinion arrived at. This was an important concession, and he wished to point out that as the Government had made that concession now, it would be highly desirable that they should favour the House of Commons, and the country, with the results of the Court of Inquiry into the Isandlana disaster. He did not know whether the right hon. and gallant Gentleman the Secretary of State for War was prepared to consent to lay upon the Table of the House the result of that inquiry. There was another point to which he wished also particularly to bring to his notice. A Court of Inquiry was held in reference to the disaster at the Zlobani Mountain. That was a most serious disaster, as a whole corps was cut to pieces; and from letters which he had received he had no doubt that there was very good cause for holding a Court of Inquiry. He believed the Government were in possession of the results of these inquiries, and he thought it would be far better if they were to adopt his suggestion, and since they had put this Memorandum into the hands of hon. Members that they would also lay upon the Table of the House the results of these inquiries, and it would then be unnecessary to move for the Reports. He wished further to point to a question which arose in connection with the proceedings of another Court of Inquiry recently held at the Cape. A great act of injustice had been done to one officer by the publication of the finding of that Court of Inquiry. He held in his hands a copy of that Report, dated Landsman's Drift, June 10th. It should be remembered that that Court of Inquiry was ordered by Lord Chelmsford. Lord Chelmsford also ordered the Court of Inquiry into the Isandlana disaster; but the Report of the inquiry into the most recent disaster had been published contrary to all previous practice.

THE CHAIRMAN was bound to point out to the right hon. Baronet that he understood him to be about to move an Amendment of which he had submitted the words. He had then understood that he was about to depart from that intention, and said he would conclude by another Amendment. He wished to say that it would be convenient to the Committee that he should furnish him with the terms of that Amendment; for so far as the right hon. Baronet had gone at present he did not see precisely the connection between the observations he was now making and the subject-matter before the Committee.

SIR PATRICK O'BRIEN asked, whether observations with reference to Courts of Inquiry that had recently taken place at the Cape were not in

Order upon the subject-matter before the Committee?

THE CHAIRMAN said, he would be able to answer that question when he had heard the right hon. Baronet propose his Amendment.

SIR ROBERT PEEL said, he would read his Amendment. It was as follows:—

> "Whenever a court of inquiry is assembled to investigate any matter affecting the conduct or character of an officer or soldier such officer or soldier shall be entitled to receive a copy of any opinion which may be delivered by such court; and if the officer who convenes the court of inquiry shall prefer to instruct the court to receive evidence only, and not to deliver an opinion, the officer or soldier whose conduct or character has been called in question shall be entitled to demand that the officer who convenes the court of inquiry shall himself deliver an opinion upon the matter which has been the subject of investigation, and a copy of such opinion shall be delivered in writing to the officer or soldier concerned."

He thought he was perfectly in Order in moving that Amendment upon the proposed clause of the right hon. and gallant Gentleman the Secretary of State for War. He had understood the Chairman of Ways and Means to rule that he was not in Order in moving that Amendment.

THE CHAIRMAN had understood that the right hon. Baronet had at first intended to move that Amendment, but had changed his intention.

SIR ROBERT PEEL said, that he had not wished to move the Amendment if the Government had acceded to his suggestion. He thought his remarks were relevant to the subject before the Committee. His contention was, that when the conduct of an officer or soldier was investigated by a Court of Inquiry, then it was just and right that that officer or soldier should receive a copy of the opinion of the Court.

COLONEL STANLEY wished to interrupt the right hon. Baronet for the purpose of pointing out, if he were in Order in doing so, that there was some misapprehension on this matter. He had promised to put into the Bill the rules of procedure for Courts of Inquiry in addition to the rules of procedure for courts martial. Inasmuch as there had been a good deal of controversy about these matters, he wanted to make his intentions perfectly clear; and he had placed, for the convenience of the Committee, a draft of the regulations which he proposed to lay before Parliament in the hands of hon. Members. He had done that in an informal shape, no doubt; but it was for the convenience of circulation. From the Memorandum it would be seen that he proposed that—

> "Whenever any inquiry affects the character of an officer or soldier, full opportunity must be afforded such officer or soldier of being present throughout the inquiry, and of making any statement he may wish to make, and of cross-examining any witness whose evidence, in his opinion, affects his character, and of producing any witnesses in defence of his character."

Then, by Section 10 of the Memorandum it was provided—

> "When, in consequence of the assembling of a court of inquiry, an opinion adverse to the character of any officer or soldier is formed by the officer who determines the case so inquired into, whether such officer be the officer who assembled the court or a superior officer to whom the case has been referred by such last-named officer, such adverse opinion shall be communicated to the officer or soldier against whom it has been given."

He wished particularly to draw attention to these matters, because a great deal of misapprehension had arisen as to Courts of Inquiry. He wished distinctly to state that a Court of Inquiry was not in strictness a judicial tribunal; but was simply an assembly of persons to collect evidence in any case in which a commanding officer could not himself make the inquiry. He wished to emphasize that fact, because the right hon. Baronet had seemed to suppose that a Court of Inquiry was a tribunal appointed to try an officer or soldier. It was perfectly erroneous to suppose that any person was tried before a Court of Inquiry. A Court of Inquiry was not empowered to exercise any of the functions of a tribunal, and if any such Court assumed those functions, he was of opinion that they would be entirely in the wrong, and the object of the rules proposed was to prevent that being done.

SIR ROBERT PEEL said, that no doubt the use of the word "trial" with respects to these Courts was a mistake; but he still maintained that the Amendment which he had proposed gave a larger scope to the persons arraigned than that suggested by the right hon. and gallant Gentleman the Secretary of State for War, who simply said that—

> "Whenever any inquiry affects the character of an officer or soldier, full opportunity must be afforded such officer or soldier of being present

> throughout the inquiry, and of making any statement he may wish to make, and of cross-examining any witness whose evidence, in his opinion, affects his character, and of producing any witness in defence of his character."

He felt very deeply upon these matters, and thought the subject was one which required the serious attention of the military authorities. It would be much better to provide, as was done by his Amendment, that a copy of any opinion which might be delivered by the Court of Inquiry affecting the conduct or character of an officer or soldier should be delivered to him. He could not conceive it desirable that in some cases the results of Courts of Inquiry should be kept secret, and that in other cases, in view of extraordinary circumstances, the results should be known. He thought that in all cases the results should be published at the place where the Court of Inquiry was held. It appeared to him that this was a matter of great importance; and he trusted that the right hon. and gallant Gentleman would agree to his very reasonable suggestion that whenever a Court of Inquiry was assembled to investigate any matter affecting the conduct or character of any officer or soldier, such officer or soldier should be entitled to receive a copy of any opinion that might be delivered by such Court.

COLONEL STANLEY wished again to impress on the Committee the regulations proposed in the Memorandum. By Section 8 he provided that—

> "A court of inquiry will give no opinion on the conduct of any officer or soldier, and the proceedings of a court of inquiry cannot be given in evidence against an officer or soldier. Nevertheless, in the event of an officer or soldier being tried by court martial in respect of any matter or thing which has been reported on by a court of inquiry, such officer or soldier shall be entitled to a copy of the proceedings of the court of inquiry."

He thought that that provision entirely met the justice of the case.

SIR PATRICK O'BRIEN observed that the right hon. and gallant Gentleman the Secretary of State for War had stated that a Court of Inquiry was only instituted for the purpose of giving a commanding officer information which he could not otherwise conveniently obtain. If that were the case, no reasonable objection could be offered; but, unfortunately, there had been cases in which Courts of Inquiry had been used against officers for a very different purpose. It was necessary for him, in illustrating this remark, to mention to the House a case which he knew was not at all popular. He alluded to the case of Colonel Dawkins, an officer of the Guards, whose case had before been brought to the attention of the House. He had performed his duty with credit as an officer of the brigade of Guards; but he had the misfortune to disagree with Lord Rokeby, who commanded the brigade of Guards, and, in consequence of that difference, he was made the subject of a Court of Inquiry. He would say that Colonel Dawkins was tried, were it not certain that he would be told that no trial had taken place. But what happened was, that Colonel Dawkins was sent before a Court of Inquiry, and a man whose commission was worth £8,000 or £9,000 was taken out of the Army on its recommendation. Not a single statement could be made contrary to the honour of Colonel Dawkins as an officer and a gentleman, and instead of trying him by a court martial a Court of Inquiry was held. His Royal Highness would not go to a court martial, and a secret investigation was held by a Court of Inquiry. He was using this merely as an instance of the way in which these Courts of Inquiry were used. Colonel Dawkins was found guilty by the Court of Inquiry, not of any military offence, not of any want of knowledge of his Profession; and he was removed from the Guards. The fact was, he was unpopular with certain noble Lords and persons in high position at the Horse Guards. They did not want to ask for a court martial; they preferred to use the Prerogative of Her Majesty to turn anybody out of the Army without a court martial. When this man was taken out of the Profession it possibly overturned his mind, for he was found guilty of conduct which no gentleman, in his opinion, would ever attempt to justify. He considered that Courts of Inquiry were the screw which the Horse Guards could put upon any man they did not want in order to turn him out of the Army. He believed it was the opinion of numbers of independent officers of the Army that Courts of Inquiry were not used for the purpose which they were intended for, but as means for getting rid of unpopular men. He thought that the matter to which the right hon. Baronet had directed attention deserved the attention of the House, and if he went to a Division on his Amendment he should certainly support him.

MR. ASSHETON CROSS said, that if the hon. Baronet would be good enough to read the 8th of the proposed regulations he would see that—

> "A court of inquiry will give no opinion on the conduct of any officer or soldier, and the proceedings of a court of inquiry cannot be given in evidence against an officer or soldier. Nevertheless, in the event of an officer or soldier being tried by court martial in respect of any matter or thing which has been reported on by a court of inquiry, such officer or soldier shall be entitled to a copy of the proceedings of the court of inquiry."

He would also wish again to draw attention to the 10th rule, which carried out everything that was required by the Amendment. It stated that—

> "When, in consequence of the assembling of a court of inquiry, an opinion adverse to the character of any officer or soldier was formed by the officer who determines the case so inquired into," then "such adverse opinion shall be communicated to the officer or soldier against whom it has been given."

He thought, therefore, that the proposals of his right hon. and gallant Friend carried out everything that could be desired; and he did not think that it was necessary to go into a long wrangle about a matter which had been already carried out.

SIR WILLIAM HARCOURT wished to call attention to the manner in which this matter now stood. In the 69th clause there was nothing about Courts of Inquiry.

COLONEL STANLEY remarked, that an Amendment was put in the clause relating to Courts of Inquiry.

SIR WILLIAM HARCOURT had forgotten that; but he was sure that it was understood at the time they were discussing that Amendment that the regulations for Courts of Inquiry should not be put into the Bill, but should be left entirely outside the Bill. There was a general understanding with regard to that matter. There was a great objection to putting regulations with regard to Courts of Inquiry into the Bill; but it was agreed that the regulations should be communicated to the House in order that it might understand what was to be done with respect to these courts. That was the proper time, in his opinion, for making any suggestion, or proposing any alteration, in these regulations; but he did not think that it was convenient at that time to introduce into the Bill an Amendment with respect to Courts of Inquiry. They had agreed hitherto that Courts of Inquiry should be regulated by the Queen's Regulations outside the Bill. The regulations it was proposed to issue had been submitted to the House by the Government, and it would be highly inconvenient that any Amendment in these regulations should be put in the Bill.

SIR ROBERT PEEL had understood, from the Memorandum of the proposed regulations being headed "Army Discipline and Regulation Bill," that the regulations were to be inserted in the Bill.

SIR WILLIAM HARCOURT thought that it was not the intention to put these regulations into the Bill. These were the regulations which the Government wished the House to know that they intended to issue in the form of Queen's Regulations in accordance with their undertaking to make rules for Courts of Inquiry. The Government had merely let the House know what regulations they intended to make in accordance with the pledge which they gave in that Amendment to the clause, which stated that rules and regulations should be made for Courts of Inquiry. It was a mistake to suppose that the regulations were intended to be introduced into the Bill.

MAJOR O'BEIRNE thought that these regulations were incomplete so long as there was no provision for any officer or soldier whose conduct was under investigation having the same right of challenge as if he had been brought before a court martial; otherwise there would be an opportunity of placing upon Courts of Inquiry officers who would give such opinions as might lead to a miscarriage of justice. He might mention that at Naval Courts of Inquiry there was the same right of challenge as upon courts martial, and he could see no reason why the challenge should not be given in the case of Military Courts of Inquiry. As a case in point he might mention that of Colonel Carter, commanding the 62nd Regiment, who had a difference with his major, and a Court of Inquiry was directed by the authorities. The President of the Court of Inquiry was the brother-in-law of Major Jerome; and if Colonel Carter had had a right of inquiry he would naturally have objected to a brother-in-law of one of the officers, whose conduct was under investigation, being President of the Court. As a natural consequence, that court came to a conclusion adverse to Colonel Carter. He should, therefore, propose, as an Amendment to the 69th clause, that—

> "Any officer or soldier whose conduct is being inquired into should have the same right of challenge as upon a court martial."

SIR ARTHUR HAYTER wished to join in the appeal which had been made to the right hon. Baronet the Member for Tamworth (Sir Robert Peel) to withdraw his Amendment. The proposed regulations provided that—

> "A court of inquiry will give no opinion upon the conduct of any officer or soldier. . . . . Nevertheless, in the event of an officer or soldier being tried by a court martial in respect of any matter or thing which has been reported on by a court of inquiry, such officer or soldier shall be entitled to a copy of the proceedings of the court of inquiry."

Moreover, that any adverse opinion that a Court of Inquiry might come to was to be communicated to the officer or soldier against whom it had been given. The result of the adoption of the right hon. Baronet's Amendment would be that he would put an end to the proposed regulations altogether. Everything that was required by his Amendment was really contained in the regulations, and he did not think that there was any reason for proposing the Amendment.

COLONEL STANLEY said, that it must be borne in mind that he had placed these regulations in the hands of hon. Members merely for their information, and for the purpose of showing what he intended to do. He was sorry that any misapprehension had arisen in consequence of the form in which he had put these regulations before the Committee. It was not intended to put them in the Bill; but they were simply a Memorandum of what it was intended to do. As regarded the various points which had been urged upon him, he would carefully consider them; but he would again tell the Committee that a Court of Inquiry was simply a body of persons to collect evidence for a commanding officer, and to assist him in ascertaining what the facts were upon which he should form his opinion. He thought that particular care was required in these regulations to prevent a commanding officer, who had given an opinion on the case, sheltering himself behind a Court of Inquiry.

SIR GEORGE CAMPBELL was unable to find a word about Courts of Inquiry in Clause 69. He understood that the Government were about to make rules for Courts of Inquiry; but why was nothing said in the Bill with regard to Courts of Inquiry? They were not told in the Bill what a Court of Inquiry was; and he thought that Courts of Inquiry should be either excluded from the Bill, or that proper explanations should be given of what Courts of Inquiry were. It was not right suddenly to insert in the Bill power to make rules for Courts of this character. Perhaps the right hon. and gallant Gentleman would be good enough to state, as this was an important matter, whether this was the first or last mention of Courts of Inquiry in the Bill?

SIR JOHN HAY remarked, that in consequence of the Amendment which had been inserted in the 69th clause, the right hon. and gallant Gentleman the Secretary of State for War had placed upon the Table a Memorandum of the proposed regulations for Courts of Inquiry. With regard to the suggestion of the hon. and gallant Member for Leitrim (Major O'Beirne), that there should be a right of challenge in cases of Courts of Inquiry, he did not think that there was any reason for giving such right of challenge. The Court of Inquiry was merely constituted to hold an inquiry into certain matters for the benefit of all concerned.

THE CHAIRMAN observed, that the question raised by the hon. and gallant Member for Leitrim would be raised by a subsequent Amendment; and, therefore, it was not in Order to discuss the right of challenge upon that Amendment.

SIR WILLIAM HARCOURT thought there was a good deal of force in the observations of the hon. Member for Kirkcaldy (Sir George Campbell), and that Courts of Inquiry should either be dealt with entirely by the Bill or wholly outside it. It was not known to him that any mention of Courts of Inquiry was made in the Bill, and why an Amendment was to be put in referring to Courts of Inquiry he did not know. As the hon. Member had said, if a Court of Inquiry were allowed to be put in the Bill, a proper definition of it must be given. He should recommend the Government to strike out the mention of Courts of Inquiry upon Report, for he thought it ought never to have been put in at all. What the right hon. and gallant Gentleman agreed to was, that Courts of Inquiry—which were no courts at all—should be treated as matters of administration, and should be deal with outside the Bill by the Queen's Regulations to prevent their abuse. It was contrary to the whole character of the Bill that Courts of Inquiry should be introduced into it. He would suggest that they should be exclusively treated as matter for regulation, and that no attempt should be made in the Bill to legislate for Courts of Inquiry. At a later stage of the Bill he trusted that his suggestion would be adopted, for they might waste weeks in discussion upon the subject of Courts of Inquiry upon the postponed clauses.

Colonel ALEXANDER said, that Courts of Inquiry were not sanctioned, either by the Mutiny Act or by the Articles of War. From the beginning to the end not a word was said about Courts of Inquiry. The first time that Courts of Inquiry were sanctioned was in the Queen's Regulations for 1868. Before that period, Courts of Inquiry existed only according to what was called the recognized custom of the Service; but no specific rule was laid down with regard to them.

Major O'BEIRNE thought that that was the proper time to discuss the subject of Courts of Inquiry. As the authorities had power to dismiss officers by a Court of Inquiry, it was as necessary for the Committee to discuss what Courts of Inquiry were as it was for them to discuss the constitution of courts martial. In his opinion, the regulations proposed were very incomplete.

Sir GEORGE CAMPBELL said, that it seemed to him to be perfectly clear that Courts of Inquiry were not now recognized by law. He thought that the Government should either adopt the suggestion of the hon. and learned Member for Oxford, and strike out any reference to Courts of Inquiry from the Bill, or they should give some explanation of what Courts of Inquiry were.

Sir ROBERT PEEL was prepared to accept the suggestion of the hon. and learned Gentleman the Member for Oxford (Sir William Harcourt). In moving his Amendment, it was under the impression that it was intended by the Government to introduce these regulations into the Bill. It was in consequence only of seeing the Memorandum of the proposed regulations that he placed his Amendment upon the Paper. If the Government would give the Committee an assurance that Courts of Inquiry should be omitted from the Bill, and that in any regulations respecting them should be contained a provision such as he had submitted, he should be content. It should be recollected that great change had been made in that matter; because he would assert, without fear of contradiction, that it was upon the finding of a Court of Inquiry at the Cape that a court martial was ordered upon Captain Carey. He did hope that the Government would give an assurance, not that they would put it in the Bill, but that they would take care that where any officer or soldier was submitted to a Court of Inquiry the proceedings of that Court should be placed in his hands, so that he might know what was charged against him.

Major NOLAN said, that the right hon. and gallant Gentleman the Secretary of State for War had introduced the subject of Courts of Inquiry by mentioning them in the Bill. Clauses 42 and 43 naturally suggested Courts of Inquiry. It was provided by Clause 42 that—

> "If an officer thinks himself wronged by his commanding officer, and, on due application made to him, does not receive the redress to which he may consider himself entitled, he may complain to the Commander-in-Chief, who shall cause his complaint to be inquired into, and, through a Secretary of State, make his report to Her Majesty, in order to receive the directions of Her Majesty thereon."

Then, in Clause 43, the case of a soldier was dealt with, and the mode of complaint by a soldier was specified. The clause provided that—

> "And every officer to whom a complaint is made, in pursuance of this section, shall cause such complaint to be inquired into, and shall, if on inquiry he is satisfied of the justice of the complaint so made, take such steps as may be necessary for giving full redress to the complainant in respect of the matter complained of."

Therefore, if Courts of Inquiry were not expressly ordered by the Act, they were strongly suggested by this clause, and were, in fact, rendered almost imperative. It was impossible to leave that entirely out of the Bill. The hon. and gallant Member for Bath (Sir Arthur Hayter) said that, as no opinion on the conduct of an officer or soldier was given by a Court of Inquiry, it was no use to have a right to challenge. When that observation was made, he wished to point out that paragraph 30 of the regulations provided that a Court of Inquiry should make a Report upon what happened. There did not seem to him to be much difference between the Court of Inquiry offering an opinion, or in making a Report. If they took the case of Captain Carey, of what consequence was it whether the Court had offered an opinion, or had made a full Report? The subject of Courts of Inquiry had been introduced by the right hon. and gallant Gentleman the Secretary of State for War, and it could not be said that it was of no consequence what opinion was given by a Court of Inquiry. It was just as important to exclude a brother-in-law of one of the parties being placed upon a Court of Inquiry as upon a court martial. It was very much the same thing as a court martial, only under another name. He could not see that there was any objection to allowing challenges against the officers composing a Court of Inquiry. When a challenge was made it was left to the majority of the Court, leaving out the person challenged, to determine whether he should continue to be a member of the Court. He did not think that such a right should be refused in the case of a Court of Inquiry. It might be very rarely exercised; but it ought to be allowed.

MR. E. JENKINS thought that the Committee had been placed in considerable difficulty by the point alluded to by the hon. and learned Member for Oxford (Sir William Harcourt). Courts of Inquiry were not judicial courts, either in the Army or in the Navy, and had their origin entirely in the Prerogative of the Crown. The introduction into the Bill of Courts of Inquiry appeared to him to be an irregularity, for, by so doing, they were assuming to legislate for what was unquestionably a direct Prerogative of the Crown. No doubt, Courts of Inquiry had led to abuse, for they had been used as judicial courts, and their opinions had been acted upon by the Commander-in-Chief in advising Her Majesty, and officers had suffered grave injustice by reason of them. Although not judicial courts, many officers had been dismissed from the Army in consequence of representations made by them. The right hon. and gallant Gentleman had pointed out the difficulties of the situation, and had endeavoured to reconcile them, and the question was whether they were reconcilable. He noticed in the regulations which had been presented to the House, and for which he felt himself bound to thank the right hon. and gallant Gentleman, that they did not go so far as was done in the case of the Navy. In the Navy, it was not competent for any officer who had sat upon a Court of Inquiry to sit also upon a court martial in the same matter, and he thought that that regulation might well be adopted in dealing with the Army.

COLONEL STANLEY said, that it had been done.

MR. E. JENKINS said, that as the Courts of Inquiry were recognized in the Act, it seemed to him that it would be better to place these rules in the Schedule. He thought there was no option in the matter, and that it would be more satisfactory if that were done. He saw the difficulty that arose from the circumstances that had been referred to; but he could not help thinking that the right hon. and gallant Gentleman might introduce this Proviso into the Bill for the purpose of safeguarding these Courts of Inquiry. He knew how these Courts had been used in an irregular manner as the basis for the dismissal of officers from the Service without court martial; and there ought to be a Proviso that any officer who felt himself aggrieved by the result of a Court of Inquiry, before he should be dismissed from the Service, should have a right to have his case sent to a court martial. He did not mean that those exact words should be introduced; but the question was simply whether what he had suggested could be done by additional regulations, or whether the right hon. and gallant Gentleman would introduce a Proviso into the Bill to that effect.

MR. PARNELL said, as this Amendment had been introduced into the Act, he thought the Committee should go a little further, and should also introduce a Schedule containing the regulations and the rules which the Secretary of State for War desired to adopt. The right hon. and gallant Gentleman had explained very fairly that the regulations issued that day were merely an example of what was in his mind, and it was only fair that he should have a little time to go over them; but, under all the circumstances, he did not think they would be doing their duty in allowing this clause to pass unless they, at the same time, inserted in the Schedules of the Act some provisions to govern the action of these Courts of Inquiry. These Courts were now, for the first time, to be legalized; and it would be unprecedented for them to lay down certain rules and regulations as regarded courts martial, and yet not follow the same precedent in regard to Courts of Inquiry. He would suggest that the right hon. Baronet the Member for Tamworth (Sir Robert Peel) should withdraw his Amendment, and that his hon. and gallant Friend the Member for Leitrim (Major O'Beirne) should refrain from moving his Amendment, and that the Secretary of State for War should undertake to annex a Schedule to the Bill which would contain the ideas which he thought desirable. It was manifest they ought not to give these powers without in some way limiting them, as, otherwise, they would have a Court sanctioned by the Act, and the Secretary of State for War left free to make any rules and regulations he chose, which was much more in accordance with, or, at any rate, not contrary to, the provisions of this Act. Otherwise, the Crown would have unlimited power with regard to these Courts. No doubt, the promises of the Secretary of State for War were very satisfactory with regard to the provisions he proposed to introduce; but they did not know what might happen hereafter, unless Parliament had some control over the matter.

Sir WILLIAM HARCOURT observed, that the Committee were on very dangerous ground; he had paid great attention to the Bill, and if they were going into this matter of regulating Courts of Inquiry, the work would take them half as long again as it had already done to make a statutory Court of Inquiry with statutory regulations, and even that would not suffice. He deplored the alteration which had been unfortunately made during his absence at dinner. If he had been there, he would have protested against it with all his might, for he knew what it would lead to. It seemed to him no part for the Committee to undertake to make regulations for the administration of Courts of Inquiry. He never understood the Secretary of State for War to give an engagement to put Courts of Inquiry into the Bill, and why this Amendment had been stuck into this clause he really did not know. He thought the best course they could now take was to get nothing more—to wait for the Report, and then cut it out. If they did not, they would get into an inextricable mess. What they should do was to adhere to the original understanding that Courts of Inquiry were not to be recognized as statutory Courts; but that regulations were to be made governing them, and that those regulations should be published and laid before Parliament. He hoped, because they had made an error in sticking these Courts into the clause by an Amendment—the consequences of which were not considered at the time—that they would not get further into the mud by endeavouring to legislate for them, but would implore hon. Gentlemen who desired the progress of the Bill not to encourage Amendments in this way, with regard to Courts of Inquiry, and he would ask them to be satisfied with the regulations to be made by the Secretary of State for War. If those regulations were not all they desired, suggestions could easily be made to the right hon. and gallant Gentleman; and he, no doubt, would give full consideration to the suggestions of the hon. Member for Dundee (Mr. E. Jenkins) and that of the hon. and gallant Gentleman the Member for Leitrim (Major O'Beirne).

Sir ROBERT PEEL was very willing to withdraw his Amendment. He had put it down because of what he saw on the Paper; but he was quite prepared to withdraw it, on the understanding that the right hon. and gallant Gentleman would consider the Amendment which he had suggested.

Colonel STANLEY explained, that he inserted this Amendment distinctly in deference to the opinions of hon. Gentlemen on both sides of the House that something more than the publication of all regulations was necessary, and that there should be some clause in the Bill putting Courts on a more statutory footing than they had occupied heretofore. He doubted whether they were not making too much of them altogether; but if they were to recognize them to that extent, he thought there was a great deal to be said for the proposal to put them in the Bill. As far as he was concerned, it was the same thing to him whether they were statutory, or whether they were governed by regulations laid on the Table. If, however, it was thought there was any mistake about putting them into the Bill, when they came to the Report it would be very easy to strike out the Amendment. As far as he was concerned, he was not pledged one way or the other.

SIR HENRY HAVELOCK hoped that the Amendment just made would not be struck out of the Report, but that it would remain a portion of the Bill. On the other hand, if any changes were to be made hereafter, he hoped they would have the fullest opportunity of considering them.

Amendment, by leave, *withdrawn.*

MAJOR O'BEIRNE wished to know whether the right hon. and gallant Gentleman would accept his Amendment? He thought it was of vital importance that it should be accepted. He proposed to give any officer or soldier whose conduct was inquired into by a Court of Inquiry the same right of challenge as on a court martial. He might mention as an instance the case of Colonel Carter, who was brought before a Court of Inquiry, and the President was the brother-in-law of the person making the charge, and a personal enemy of Colonel Carter; while the two chief witnesses were two officers of his regiment whom he had had to report for intemperate habits, one of whom died afterwards from *delirium tremens.* Of course, such an inquiry must be a perfect mockery. There was no provision, either, as to whether or not the officers should be taken from the regiment; and they could well understand what a state things would get into, if no one but men of the same regiment could be obtained to sit on a Court of Inquiry. He would move to add at the end of the clause—

"Provided always, That any officer or soldier shall have the same right of challenge on a Court of Inquiry as on a court martial."

Amendment proposed,

In page 38, at the end of the Clause, to add the words "Provided always, That any officer or soldier shall have the same right of challenge on a court of inquiry as on a court martial."—(*Major O'Beirne.*)

Question proposed, "That those words be there added."

MR. CAVENDISH BENTINCK remarked, that, unfortunately, the Amendment was not on the Paper, and the observations of the hon. and gallant Gentleman had not reached him very distinctly. He understood his proposition was, that there should be a disqualification attached to persons who might serve on courts martial. [An hon. MEMBER: No, no! a right of challenge in courts martial.] Well, he would call the hon. and gallant Member's attention to the clause which gave Her Majesty power to make rules of procedure. It seemed to him nothing could be more proper or pertinent to the rule of procedure than to make such regulations as that to which he had alluded. It had always been the policy and practice in regard to courts martial that no one who had any interest whatever in the proceedings should sit upon them. It seemed to him that the spirit in which the hon. and gallant Gentleman moved his Amendment was perfectly correct, and quite according to precedent; and he had not the slightest doubt that any rules of procedure which were made would be in such a form as would entirely meet the objection he had raised.

MAJOR O'BEIRNE apologized for not having his Amendment on the Paper; but as these Rules regarding Courts of Inquiry were only put into the hands of hon. Members that morning, he could not, of course, formulate his Amendment earlier. The more he read these rules the more incomplete they appeared. For instance, he should like to make an Amendment that the charges to be inquired into should be placed in the hands of any officer at least a fortnight before the Court assembled. He understood the right hon. and learned Gentleman to say that his Amendment would be one of the rules of the Court.

MR. CAVENDISH BENTINCK said, when the whole subject was thrown open, no doubt, this would be considered among other things.

MR. MONK understood the right hon. and learned Gentleman, on the whole, to accept this proposal; but he thought it would be very much better, if that were the case, that the Amendment should be added to the Bill. As an officer had a right of challenge on a court martial, it was only reasonable that he should have the same on a Court of Inquiry.

Major NOLAN hoped the Government would either put this into the Bill or agree to put it into the regulations they were about to issue. It was not sufficient to say that the Amendment should be considered. The instance given was a proof of the necessity for the rule, for if the brother-in-law of an accuser was presiding at a court martial the person accused should certainly have a right of challenge. That right was not absolute. It only allowed the accused to object to a particular man, and then the majority would decide whether he was to sit or not.

Sir ALEXANDER GORDON asked in what shape these rules would come before them for approval, and whether he could propose Amendments in them, and when?

Colonel STANLEY replied, that he could only answer the question inferentially. This power of laying rules before Parliament was taken in many Acts; and these rules would, of course, be open to challenge in the same way as any others. He had given an undertaking that these rules should be laid before Parliament, and, as a consequence, the Memorandum circulated that morning was issued; but the others were not yet finished, for he had not, in fact, had time to complete them, and until they were complete they would, of course, adhere to the existing mode of procedure. He had, however, sent them out in this form with the Votes. It was a mere Memorandum of what he hoped to do and what form he thought they should take. With regard to this point of challenge, he was afraid that would be doing what he was always afraid of—namely, making too much of these Courts of Inquiry. They were merely Courts to come to conclusions about facts; and they ought not to have, and he did not want them to have, any control, directly or indirectly, over opinions. To give a right of challenge would be making them too much like courts martial; and, therefore, he could give no pledge that he could introduce them into the rules. At the same time, he thought it perfectly right and fair that any officer mixed up with the question should not be one of those to decide what the facts were. Whether he would put that in the form of a rule he could not exactly say.

Sir ALEXANDER GORDON considered this a most unsatisfactory state of things. A large number of Members were of opinion that Courts of Inquiry, as conducted for the last 25 years, ought no longer to exist, or, if left at all, that they ought to be put under proper regulations; but by the statement now made Parliament was to have no control over the regulations whatever. He certainly should support the Amendment that officers should be liable to challenge. If these Courts were to be recognized as Courts, as they were by this Amendment, this Memorandum was of no earthly value to them as Members of Parliament, for they could not alter it; if it was merely laid on the Table they would have no opportunities of altering it. In two points it was very objectionable. It did not provide that the officer or soldier should have a copy, or see the instructions under which the Court was held; and, therefore, he had no means of knowing what the investigation was about, or what steps he should take to meet the implied accusation against him; and, next, it was not provided that the officer or soldier concerned should know the result of the inquiry. That was one thing which officers felt most keenly—that they should be brought into a public Court, subjected to an investigation, and yet should not know the result, and that it should be locked in the cupboards of the officials and never be known. He wished to move Amendments to that clause; but by the course now proposed he would have no opportunity of doing so. He should, therefore, certainly support the Amendment.

Mr. BRISTOWE understood that these words were inserted in fulfilment of a pledge given on a previous occasion; but he by no means understood the right hon. and gallant Gentleman to promise anything more. These Courts were to be governed by rules and regulations made by the right hon. and gallant Gentleman, and they were to be laid on the Table, and so be subject to Parliament. They would surely be making a great mistake by introducing into this clause anything in the nature of procedure;

and, therefore, he did hope that the hon. and gallant Gentleman would not go to a Division, because the Amendment was clearly directed to a point of procedure, and nothing else.

MAJOR NOLAN was surprised the hon. and learned Member did not see the extraordinary inconsequence of his remarks. They were told that they were to treat Courts of Inquiry exactly as courts martial had been treated, and that after they had carefully provided for the rules of courts martial; and, therefore, according to his own argument, they ought carefully to provide a right of challenge in Courts of Inquiry. Not only was this the proper place to move this, but it was the only place. His hon. and gallant Friend (Major O'Beirne) had very handsomely offered not to press his Amendment if what he desired was inserted in the regulations; and if the right hon. and gallant Gentleman could not accept that, he certainly should advise his hon. Friend to go to a Division.

SIR HENRY HAVELOCK said, he desired to pass the Bill; but the point now raised was a very grave one indeed, going, not only to the principle of the question, but also to the very root of the Amendment which he himself proposed on Clause 43. He had heard with very great astonishment that the pledge given him several weeks ago that the principle of challenge as regarded Courts of Inquiry was not to be allowed. This was a principle which must be admitted; and, therefore, he hoped it would be inserted either in the Regulations or in the body of the Bill. It was a principle for which he always had contended, and certainly always would contend.

SIR GEORGE CAMPBELL observed, that it would be extremely difficult to give a right of challenge when there might be nobody to challenge, for, if everybody exercised it, it would be impossible. It was also totally impossible that any rules could be introduced into this particular section; and he would, therefore, suggest that the section should be allowed to pass, and that hon. Members who wished to introduce rules should introduce them in the Schedule of the Bill.

MAJOR O'BEIRNE did not intend to withdraw his Amendment, as the Judge Advocate General (Mr. Cavendish Bentinck) had himself admitted that what he asked was only reasonable. As the Government would give no promise that this right would be included in the Rules, there was nothing for it but to take a Division.

SIR ALEXANDER GORDON begged to call attention to paragraph 6 of the proposed regulations, which was as follows:—

> "Whenever any inquiry affects the character of an officer or soldier, full opportunity must be afforded such officer or soldier of being present throughout the inquiry, and of making any statement he may wish to make, and of cross-examining any witness whose evidence, in his opinion, affects his character, and of producing any witnesses in defence of his character."

It constantly happened that an officer was ordered to appear before a court martial, and these were the cases in which a right to challenge was contemplated. Surely, when a man was ordered to appear, that his conduct or character might be inquired into, it was most necessary that his case should come before officers who had no previous knowledge of the matter. The concession asked ought to be conceded, for if it were not, Courts of Inquiry would be ten times worse than they were before.

MAJOR NOLAN understood that this clause had been introduced in order to deal with complaints of officers and soldiers. [Colonel STANLEY: Not entirely.] At any rate, the Government had made this alteration in consequence of the discussions and complaints which Courts of Inquiry gave rise to. As to what the hon. Member for Kirkcaldy (Sir George Campbell) had said, the right of challenge was not absolute, and only such challenges were allowed as the Courts considered fair.

COLONEL ALEXANDER observed, that the great defect of these rules was that there was no guarantee, in the event of a Court of Inquiry finding an adverse verdict to an officer, that, before his removal from the Army, he should have a court martial. Such an Amendment as that was very necessary, in order to prevent a person being practically removed from the Army, as the result of a Court of Inquiry; but nothing was said about his right to demand a court martial; in fact, there was nothing in the rules to prevent an officer being summarily removed. Courts of Inquiry should be something similar to a Grand Jury, for the purpose of informing a commanding officer whether a *primâ facie* case had or had not been made out.

Sir ALEXANDER GORDON regretted that he was not in the House at the proper time, or he would have moved the Amendment of which he had given Notice.

Mr. CAMPBELL-BANNERMAN thought the point raised was not really a question of procedure; it was a question of the practical rights of an officer, and of his being prevented from being dismissed from Her Majesty's Service.

Colonel ALEXANDER understood the procedure was defective.

Mr. CAMPBELL-BANNERMAN replied that he was quite in favour of what an hon. Member proposed, and he did not know whether the manner in which his hon. and gallant Friend the Member for Leitrim (Major O'Beirne) proposed to carry it out was the best. He could not see, either, what it had to do with this clause, which was merely a clause giving power to make rules of procedure. If this Amendment were to be made, it certainly should be made in a separate clause, declaring that no man, as the result of a Court of Inquiry, should be dismissed from the Service without having the right to demand a court martial. It was not for that House to pitchfork things which did not belong to a clause into it; and he, therefore, thought the Amendment out of place, though he did not all dispute the importance of the point raised.

Sir ARTHUR HAYTER said, they were now really discussing the clause proposed by the hon. and gallant Member for Sunderland (Sir Henry Havelock), on page 27, "Redress of wrongs." It would be more in Order if they waited till they got to that clause.

Sir HENRY HAVELOCK explained, that he proposed to insert that between 10 and 11. He perfectly agreed that in these Rules regulating Courts of Inquiry there should be some recognition of the principle of the right of challenge; and also that Courts of Inquiry should never be used in substitution for courts martial, nor that the accused should be debarred from the right to a court martial for his own justification. He might point out that this did not in the least debar the Prerogative of the Crown, even after a court martial, to dismiss an accused person, if it should think fit, without assigning any reason therefor. By his proposal, he granted both the rights of the Crown and of the individual. The point for which he contended was that the principle of the right of challenge should be introduced into the body of these rules as well as into the body of the Bill. It was quite possible that the course suggested, of inserting it in the new clause, might be the best. He would leave it to the right hon. and gallant Gentleman to decide that. He maintained that every officer should have the right of a court martial, for even that would not debar the right of the Crown subsequently to dismiss him if it chose.

Colonel STANLEY did not think, in the discussion of the 1st of May, that he ever bound himself absolutely to carry out the suggestion of the hon. and gallant Gentleman the Member for Sunderland. He explained his views at the time, and promised, as far as possible, to carry them out. With regard to this question of the right of challenge being inserted in these rules, his answer was that these rules and regulations would be laid on the Table of the House, and Parliament would then have an opportunity of making a Motion upon them, or of making any Amendments it chose. With regard to the Amendment of the hon. and gallant Gentleman the Member for Sunderland (Sir Henry Havelock), of which he had spoken, that seemed to divide itself naturally into two parts. The first part was already practically included in the regulations, while the second part raised a question of vast importance. With regard to that, when they came to the clause, he would ask the hon. and gallant Gentleman to strike out the first part of it; and, with regard to the second, to put it before the Committee, and leave it to their judgment. The Committee had already agreed to a provision which gave the Secretary of State power to frame, from time to time, rules of procedure for Courts of Inquiry, and he had laid upon the Table a Memorandum showing what his views were upon the matter. He had, therefore, given the Committee all the information which he could with respect to it; and he could not help thinking that the progress of the Bill was being delayed by the discussion of the regulations at the present moment. Those regulations could not be introduced into the Bill;

but when it became law they would be laid on the Table of both Houses of Parliament, and ample opportunity would thus be afforded for criticizing them. On the Report it would, of course, be open to any hon Member to support the words of the clause as they stood, or to move that they be omitted.

SIR HENRY HAVELOCK contended that there ought, in the interests of the Service, to be a statutory recognition of Courts of Inquiry.

SIR ALEXANDER GORDON said, he did not think the answer which had been given by the Secretary of State for War to the hon. and gallant Gentleman the Member for Sunderland (Sir Henry Havelock) was at all satisfactory. It was all very well to say that it would be open to any hon. Member to criticize the rules when they were laid on the Table of the House; but a private Member would find it impossible to obtain a day for the discussion of any Amendment which he might move proposing their rejection. The present was, he contended, the proper occasion to discuss the rules. The Bill, as he had repeatedly said, contained some very severe provisions, and would take away from the soldier various little privileges which he had hitherto enjoyed. It would not be right, therefore, he thought, to deprive them of a protection which they now had under the Articles of War which dealt with Courts of Inquiry.

SIR WILLIAM HARCOURT said, the Government ought to give the Committee some more distinct information than they had as yet done as to whether they meant to deal with Courts of Inquiry in the Bill or not. If they intended to do so, they ought to say so at once; if they did not, then they had allowed three hours to be wasted, simply because they had not thought proper to let the Committee know what was their policy in the matter. A fatal mistake had, in his opinion, been made by the Government in introducing into the clause the words "Courts of Inquiry." If those Courts were to be made the subject of legislation in the Bill, then it would be necessary to provide as complete a machinery for them as for courts martial. He, for one, must protest against the way in which the question was being dealt with by the Government; and he would point out to them that if now, at the eleventh hour, they were determined to legislate for Courts of Inquiry, it would be impossible to go on with the Bill. He thought the Government had accepted the principle that those Courts should be dealt with by regulation; but now there was an Amendment, in which the words "Courts of Inquiry" appeared for the first time, and everybody was asking what they were; but to that question no answer had been given. It was to introduce absolute confusion into the Bill, he maintained, to make those Courts the subject of statutory enactment. He hoped, at all events, that in the interest of the progress of the Bill the Government would, without further delay, frankly tell the Committee what they really proposed to do in the matter.

MR. ASSHETON CROSS said, there could be no doubt that there was no intention on the part of those who framed the Bill to legislate by Statute for Courts of Inquiry. The hon. and gallant Gentleman opposite (Sir Henry Havelock), however, wanted to have the rules relating to them placed in the Schedule of the Bill; but that was a proposition which he did not think the Committee would act wisely in adopting, and his right hon. and gallant Friend the Secretary of State for War had never given it his sanction. When the rules were laid on the Table of the House there would be ample opportunity for discussing them, and making a Motion, if that should be deemed expedient, for their modification or rejection; but if they were embodied in the Bill, the result would be something like a deadlock, from time to time, in dealing with matters which ought to be the subject of a more elastic mode of treatment. He quite concurred with the hon. and learned Gentleman the Member for Oxford (Sir William Harcourt) that it would be very undesirable to constitute Courts of Inquiry by the Bill.

SIR HENRY HAVELOCK said, that the observations of the right hon. Gentleman who just sat down, and of the hon. and learned Gentleman the Member for Oxford, had come somewhat too late, for, as a matter of fact, the Secretary of State for War had introduced into the Bill words which gave a statutory recognition to Courts of Inquiry; and he should like to ask the hon. and learned Member for Oxford, in the interests of the Army, on what principle it was that he was so anxious that Courts of Inquiry should be ignored in the Bill?

Mr. ASSHETON CROSS said, the Committee were now, he thought, in a position to decide the question whether Courts of Inquiry should be dealt with in the Bill or not. That question was raised by the Amendment which proposed that soldiers should have the same right of challenge in regard to those courts as was given them in the case of a court martial.

Colonel ALEXANDER said, there was no recognition either in the Mutiny Act or the Articles of War of Courts of Inquiry, except for the redress of wrongs. They were mentioned for the first time in the Queen's Regulations in 1868.

Major NOLAN pointed out that it was provided by the Articles of War that if any non-commissioned officer or soldier felt that he had been wronged in any matter affecting his pay or clothing, he might ask to have the grievance of which he complained submitted to the consideration of a regimental Court of Inquiry.

Sir WILLIAM HARCOURT said, the Articles of War had not the force of a Statute. They were something done by the Queen, as it were, outside the law. The real point was whether Courts of Inquiry had been recognized by the Mutiny Act, and his contention was that they had never yet been recognized by any Statute. He would advise the right hon. and gallant Gentleman the Secretary of State for War not to allow himself to be led into the supposition that he was under a pledge to anyone to introduce Courts of Inquiry into the Bill. Although the Committee could not alter what had been done already, they ought not, in his opinion, to go further in the same direction by adopting the Amendment now under discussion, containing, as it did, the words "Courts of Inquiry."

Question put.

The Committee *divided*:—Ayes 50; Noes 165: Majority 115.—(Div. List, No. 162.)

Mr. PARNELL said, some words ought, in his opinion, to be added at the end of the clause, similar to those which, as the right hon. Gentleman the Secretary of State for the Home Department was aware, were to be found in the Factory Act, providing that the rules which, under the operation of the clause, would have to be laid before Parliament, should be on the Table for 40 days, so that they might be subject to Parliamentary revision. There was, of course, no necessity for inserting those words on that occasion; but their insertion might be moved on the Report.

Mr. ASSHETON CROSS said, it was expected that the present Bill would come into operation in the very next week, and that it might be impossible to allow the rules framed in connection with it to lie on the Table for 40 days, inasmuch as Parliament might not sit for so long a period. The point to which the hon. Member had called the attention of the Committee was one which could be discussed on the Report.

Mr. PARNELL said, he did not mean to contend that the rules should not come into operation until they had been on the Table of the House for 40 days. Those rules, as the right hon. Gentleman the Secretary of State for the Home Department must be aware, would come into operation from the time they were made by the right hon. and gallant Gentleman the Secretary of State for War. In the same way, the rules connected with the Factory Act and the Prisons Act came into operation as soon as they were issued. But what he desired was that Parliament should have the right to annul the rules made by the Secretary of State for War under the present Bill if it should think fit to do so, and in the event of their being annulled by Parliament they should cease to be valid.

Colonel ARBUTHNOT said, that all the rules and regulations in connection with the Army were embodied in a Royal Warrant, and circulated throughout the Army. An answer which the right hon. and gallant Gentleman the Secretary of State for War had given to a Question which he (Colonel Arbuthnot) had put to him would, perhaps, be the most convincing proof which the hon. Member for Meath (Mr. Parnell) could have that it was quite open to the House to bring about a change of the rules in question immediately after they appeared. The answer to which he alluded referred to a regulation, with regard to which he had thought it his duty to make a Motion in that House, on which occasion the Secretary of State for War gave way; so that it was quite clear it was in the power of hon. Members to bring about an alteration in any rules which might be made.

SIR ALEXANDER GORDON asked for an explanation of the words in the clause—"All rules made in pursuance of this section shall be judicially noticed." By the present Mutiny Act it was provided that the Rules and Regulations made by the Sovereign should be taken notice of judicially in all Courts whatever, and that copies of them, printed by the Queen's printer, should, as soon as might be, be sent by the Secretary of State to the Judges of Her Majesty's Superior Courts in London, Dublin, and Edinburgh. No provision was, however, made in the clause under discussion for sending the rules framed under it to the Judges; and he should like, therefore, to know how those learned persons were to have judicial cognizance of them, and with what object the words of the Mutiny Act were omitted from the clause?

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, that all Courts of Justice were supposed cognizants of an Act of Parliament, and that rules framed under the operation of the Act would have the force of an Act of Parliament.

SIR ALEXANDER GORDON said, that the Committee upstairs were of opinion that they ought not to have the same authority as an Act of Parliament.

Clause, as amended, *agreed to.*

Clause 72 (Appointment and power of provost marshal) *struck out.*

Clause 87 (Delivery of soldier on discharge with his wife or child at workhouse, or of dangerous lunatic at asylum).

SIR GEORGE CAMPBELL moved the omission, in page 47, line 36, of the words "or otherwise." The clause, he said, gave power to a Secretary of State to cause a soldier on his discharge, on account of lunacy, or otherwise, to be sent to the parish in which his attestation paper showed that he had been born, and the words "or otherwise" seemed to him to be so vague that it was not desirable they should be retained in the clause.

Amendment *agreed to.*

MR. PARNELL said, he wished, in the absence of his hon. Friend the Member for Mayo (Mr. O'Connor Power), to move an Amendment which stood on the Paper in his name. He himself had given Notice of an Amendment on the clause which stood lower down on the Paper, and which related to a different point. The Amendment of his hon. Friend the Member for Mayo had for its object to provide that a lunatic soldier, when discharged from the Army, should be sent to a lunatic asylum, instead of being made a burden upon the rates. The Committee were, perhaps, aware a very considerable change had been proposed by the Select Committee which sat upstairs to consider the whole question of poor removal with respect to the Law of Settlement. He was informed by his hon. and learned Friend the Member for Limerick (Mr. O'Shaughnessy) that that Committee had, practically, agreed to a Report in which they recommended that the Law of Settlement should be abolished, and that any person who happened to become a pauper in any locality, no matter what length of time he might have resided there, should be entitled to relief in the Union of that locality. If their recommendation were not acted upon, so much the worse would it be, in his opinion. But the Government, under the present clause, took power to send a lunatic soldier on his discharge to the parish in which it was stated in his attestation paper that he had been born, and to send his wife or child with him. Now, a very great innovation was sought to be introduced by that provision, because, in accordance with it, a soldier would be sent, not to the place in which he might have acquired a settlement, or might have spent the greater part of his life, but to the place of his birth; and assuming that the attestation paper would correctly state what that place was, still the clause would enable the Government not to carry out the existing law with regard to paupers, but to do something entirely different. He would also observe that the Committee were in ignorance of what the law of he future might be with respect to the removal of paupers; and he thought that, totally irrespective of the general law on the subject, the Government ought to establish lunatic asylums where lunatic soldiers might be taken care of at the expense of the State.

Otherwise, a very heavy charge might be imposed on the local rates of a parish which had in no way been benefited by the soldier during the best years of his life. He begged to move, in page 47, line 37, after "discharge," to leave out to "discharged," inclusive, in page 48, line 7, and insert—

> "To be sent to a military asylum provided for the reception of military lunatics, and the wife or child of any such soldier may be sent to the parish in the United Kingdom in which he appears from his attestation paper to have been attested, and such wife or child, if delivered after reasonable notice in England or Ireland at the workhouse in which persons settled in such parish are received, and in Scotland to the inspector of poor of such parish, shall be received by the master or other proper officer of such workhouse, or such inspector of poor, as the case may be."

The CHAIRMAN pointed out that the Amendment, as moved by the hon. Member, was informal, as there was no such word as "discharged" which he proposed to omit in line 7.

Mr. PARNELL said, that in that case he would at the proper time move the Amendment which stood on the Paper in his own name.

Colonel STANLEY said, he had an Amendment on the Paper which would, he thought, meet the case, for he had no wish to stereotype under the Bill anything which might be inconsistent with existing statutes on the subject of the settlement of paupers; and he, therefore, proposed that a Secretary of State might, if he thought proper, send a lunatic soldier to the parish or union to which he was removable. With that view he begged to move, in page 47, line 38, after "parish," to leave out to "and," in line 3, page 48, and insert—

> "Or union to which under the statutes for the time being in force he appears, from the statements made in his attestation paper and other available information, to be removable."

He wished to point out, in reference to the proposal which stood on the Paper in the name of the hon. Member for Mayo, that it was open to the objection that it would make a lunatic soldier, even though he happened to have been in the Service only for a single day, chargeable on the military for the whole of his life.

Mr. O'SULLIVAN contended that it was not fair to send a lunatic soldier to a workhouse, where he was sure to be badly treated. There were in workhouses no proper staff to take care of a person so situated, and if he were allowed to mix among the ordinary paupers the probability was that his malady would grow worse. He would suggest, therefore, that a lunatic soldier should on his discharge be sent to the lunatic asylum of the county to which he belonged. His wife or child might be sent to the workhouse.

Mr. SCLATER-BOOTH said, that as the law stood a pauper was liable to be removed to a certain parish or union; but that power was now proposed to be taken to remove a lunatic pauper directly to the asylum attached to the workhouse of that particular parish or union.

Mr. O'CONNOR POWER regretted that, owing to some mistake, the Amendment which stood on the Paper in his name could not be put from the Chair; but if he rightly understood what had fallen from the right hon. and gallant Gentleman the Secretary of State for War, he was prepared to concede the principle for which he (Mr. O'Connor Power) was contending, which was that a lunatic soldier on his discharge from the Army should not be sent to a workhouse, either of the parish in which he was born or in which he had been attested, but that, as a married man, he should be regarded as the ward of the State. It had been suggested by the right hon. and gallant Gentleman the Secretary of State for War that it was, technically, scarcely open to a private Member to move an Amendment which would involve an increase of the Military Estimates; but that was a very good reason why the right hon. and gallant Gentleman should take the matter into his own hands. The proposal of the right hon. and gallant Gentleman was certainly an improvement on the clause as it stood; but the point raised by his (Mr. O'Connor Power's) Amendment was whether it was not the proper course to pursue to send a lunatic soldier to a military asylum after he had become broken down in the service of his country, instead of sending him to the parish workhouse for relief, or to the local lunatic asylum connected with it.

Mr. SULLIVAN shared with the hon. Member for Mayo the strongest objection to put upon soldiers of the Army the degradation of pauperism because they might be visited with lunacy. He should certainly impress upon the Committee that it was most desirable that this additional stigma should not be placed on men serving in the ranks of the Army. He could see no reason why mental suffering in the Army should be treated in a degrading manner any more than other suffering on the part of soldiers. He hoped his hon. Friend would press his Amendment.

MR. RAMSAY thought that the proposal of the hon. Member for Mayo was so reasonable as to deserve the attention of the right hon. and gallant Gentleman the Secretary of State for War.

MR. O'SHAUGHNESSY said, there was no degradation to a soldier in sending him to a workhouse, where everyone acquainted with these establishments would know he would be well taken care of. He did not think it would be merciful to send a lunatic soldier to an asylum, perhaps in the middle of England; it would be much better to send him to an asylum in the place he came from, where he would be near his friends. *Cæteris paribus*, he objected strongly to the creation of new institutions involving vast expense to the country, which would make its appearance in the Estimates. He should be sorry to see the Military Estimates charged with the maintenance of lunatic soldiers who had only served a short time; but in the case where they had served for a long time, and then lost their reason, he certainly thought that the Military Estimates should bear the expense?

MR. BIGGAR thought that the wife and child should be sent to the place where the wife would be chargeable, supposing she was a widow. If the wife was to be sent to the workhouse at all, the best plan would be to send her to the place where she was married, and where she would probably be amongst friends. If she was sent to the place where her husband was attested, she would probably close her days in the workhouse. He certainly thought that the place where the marriage took place should be chargeable.

MR. P. MARTIN said, under the provisions of the existing code even Poor Law authorities had no power to remove a native of Ireland, who might become insane in England, back to Ireland. The clause, without some alteration of the kind which was proposed by an Amendment on the Paper in the name of the hon. Member for Meath, would give the Secretary of State a power which at present he did not possess by Statute—namely, to send to Ireland a lunatic soldier whose attestation paper showed him to have been born in Ireland. He submitted that this would be unfair and unjust. If unfitted for service by mental affliction the Military Estimates ought to bear the cost. Reason and analogy were in favour of the adoption by the Committee of that principle. He suggested that the Proviso standing in the name of the hon. Member for Meath should be added to the Amendment of the Secretary of State for War, which, he thought, should then be accepted without further comment.

MR. RYLANDS thought the words as they stood would cause injustice towards towns where there were depôt centres. Without being able to suggest what would exactly meet his view of the matter, he thought it would be only reasonable that some means should be adopted to prevent injustice upon parishes.

MR. PARNELL said, the Amendment of the right hon. and gallant Gentleman appeared to him to upset the whole of the existing law. If the proviso as to the cost being defrayed by the War Office were added, the soldier would not become a pauper, but would simply remain a lunatic in his regiment; and if even the law with regard to removability were altered, and it was declared that he should be entitled to relief, the soldier would not be a pauper.

MR. SCLATER-BOOTH said, there were no powers now in existence for the removal of soldiers. The removal would be to the place to which by law for the time being the person might be removed. The attestation paper would give no power of removal.

MR. HIBBERT thought the word "removable" objectionable, and moved that the word "chargeable" be substituted.

Amendment *agreed to.*

MR. HIBBERT pointed out that a soldier in Her Majesty's Service was not a pauper, and could not, therefore, become chargeable unless he was destitute. He moved the addition of the words "if he were destitute" at the end of the Amendment.

Amendment *agreed to.*

Amendment, as amended, *agreed to.*

Colonel STANLEY moved, in page 47, line 40, after the word "parish," to insert the words "or union." Also, in page 48, line 5, after "parish," to insert "or union."

Amendment *agreed to.*

Mr. PARNELL said, there was considerable force in the remark of the hon. and learned Member for Limerick (Mr. O'Shaughnessy), that a lunatic soldier should be taken back to his native county, where his friends were, when he would probably be amongst friends; but there was no reason why the revenues of that county should be charged with the expense of his maintenance. It had, in the case of an officer, always been the rule of the Service that if he became insane some allowance should be made to him. Why, then, should not this rule apply in the case of a soldier who became insane in the Service, perhaps from the effect of climate? It would only be fair to take the cost of his maintenance off the rates; and, therefore, he begged to move that words be added at the end of the clause to the effect that the guardians of the poor of the union or parish upon which the cost of maintaining such lunatic, or his wife, or child, devolved should be entitled to receive from the War Office the cost so incurred from time to time for the support of such person or persons.

Amendment proposed,

In page 48, at the end of the Clause, to add the words "Provided always, That the guardians of the poor of the union or parish upon which the cost of maintaining such lunatic or his wife or child devolves, shall be entitled to receive from the War Office the cost so incurred from time to time for the support of such person or persons."—(*Mr. Parnell.*)

Question proposed, "That those words be there added."

Colonel STANLEY said, the Amendment proposed by the hon. Member for Meath (Mr. Parnell) was at first sight entitled to a good deal of consideration; but he was bound to point out that the circumstances of the case were hardly such as some hon. Members appeared to have in their minds. The Government would have no difficulty in agreeing that the Estimates should be charged with the cost of a man who had incurred illness, or suffered from the effects of climate whilst in the service of the State; but he did not think it would be reasonable that this should be the case where insanity had developed itself in a man who had served but a short time in the ranks. With regard to the mass of these cases, however, a very considerable portion of the cost was already paid by Government under their arrangements in connection with local authorities. For these reasons, and inasmuch as the proposition required a good deal of consideration and working out, and would, moreover, create a large charge upon the Military Estimates, although, of course, the latter was not a chief point of objection, he did not feel able to assent to the Amendment proposed by the hon. Member.

Major NOLAN wished to amend the proposed Amendment of the hon. Member for Meath (Mr. Parnell) in a manner that he believed would meet the objection which had been raised by the Secretary of State for War to charging the Estimates with the cost of persons who became insane within the first three years of their service. He, therefore, moved to add to the proposed Amendment the words "provided that the soldier shall have been more than three years in the Service."

Mr. BRISTOWE could not help thinking that the hon. Member for Meath should re-consider his Amendment, which proposed that the wife and children of a lunatic, however short might be the period of his service, should be chargeable on the State. He could understand that when an insane person had been not less than three years in the Service the State should be chargeable; but he could not see upon what principle the wife and children should be so charged.

Mr. O'SULLIVAN said, the Amendment of the hon. and gallant Member for Galway (Major Nolan) ought, in his opinion, to be accepted.

Sir PATRICK O'BRIEN maintained that soldiers who had broken down in the Service, and become lunatics, ought not to be spoken of in the sense of paupers, and thought that the Amendment of the hon. and gallant Member for Galway had removed every objection to the proposal of the hon. Member for Meath (Mr. Parnell). The right hon. and gallant Gentleman had objected to the latter Amendment—that we had only three years' service; but how long did he suppose that the system of short service in the Army was likely to last? He (Sir Patrick O'Brien) believed that everyone connected with the Army had discovered that, from a military point of view, short service was a failure. They ought not at least to regard the soldier as a pauper, and if his lunacy were induced by service in hot climates, the House, he thought, should not place his cost upon the rates of a particular district, but upon the Consolidated Fund.

MR. RAMSAY said, the authorities had ample opportunities of examining a person before enlistment in order to ascertain the exact state of his health; and he understood that if there was any indication to the medical man who made the examination that the recruit was likely to become shortly insane he would not be accepted by the authorities. Now, if that were correct, he could not see upon what ground they were called upon to have a lunatic soldier chargeable upon the rates. No one could say in what way the insanity of an individual was produced; and, therefore, if it were equitable, as he felt it to be, that the State should maintain a soldier who became insane during his period of service it should be quite irrespective of the time during which he had served. If, as the right hon. and gallant Gentleman had stated, a portion of the cost of pauper lunatics was now borne by the State, it was an additional reason why the Amendment of the hon. Member for Meath should be accepted, because it would not make the burden so heavy as was at first supposed. He could not, however, agree to that part of the Amendment relating to the wife and child of a lunatic soldier. It would be inequitable to charge their maintenance upon the State; and, therefore, he thought the words relating to them should be struck out if the Amendment were accepted.

MR. PARNELL pointed out to the hon. Member for the Falkirk Burghs (Mr. Ramsay) that there was very much more reason why the wife and child should be supported at the expense of the State than there was for the soldier himself being so supported. The wife of a soldier who had been permitted to marry would be on the strength of the regiment. It was well known that soldiers were only permitted to marry when on long service, or for some particular and special reason, and that the wives of such soldiers accompanying the regiment were on the strength of the regiment. Take the case of the wife of a soldier born in a different place from that in which her husband had a settlement; if the words of his Amendment relating to the wife and child were struck out it would come to this—that where a soldier who became lunatic had married with the leave of the colonel, because the wife's services would be useful about the regiment, his wife and child would be sent back to the place where the soldier was chargeable, and become chargeable on the rates there although she had had nothing to do with the place. It was true that the cost would not add much to the rates; but he wondered that the Government did not agree to its being borne by the State.

MR. CALLAN hoped that the Amendment would be agreed to. It was intended to meet such a case as had occurred within his own knowledge, and in the borough which he represented. He referred to the case of a man stationed in one of the towns of Lancashire, who became insane, and was sent in custody of three soldiers to Dundalk; he was left at the workhouse there without any order from the parochial authorities. He (Mr. Callan), happening to be at the workhouse on the day following the man's arrival, recommended that the War Office should be communicated with, and, after the lapse of months, information was received that the man was entitled to the sum of £5 as deferred pay. It was also found that the man, although the son of an Irish soldier, had been born in England, and had never been in Ireland. According to law, the people of Dundalk had no remedy, and the ratepayers had been obliged to support the man ever since he was sent there. He trusted that the proposal of the hon. Member for Meath, which would provide a remedy in such cases, would be agreed to by the Committee.

Amendment proposed to proposed Amendment, by adding the words, "Provided that the soldier shall have been more than three years in the service."

Amendment *agreed to.*

Question put.

The Committee *divided:* — Ayes 64; Noes 193: Majority 129.—(Div. List, No. 163.)

Clause, as amended, *agreed to.*

Clause 128 (Provision in case of insane persons).

Colonel STANLEY moved, in page 68, line 28, to leave out "insane," and insert—

> "By reason of insanity unfit to to take his trial, the Court shall find specially that fact, and such person shall be kept in custody in the prescribed manner until the directions of Her Majesty thereon are known, or until any earlier time at which such person is fit to take his trial.
>
> "Where on the trial by court martial of a person charged with an offence it appears that such person committed the offence but that he was insane at the time of commission thereof."

Amendment *agreed to.*

Colonel STANLEY moved, in page 68, line 31, after "and," to insert the words "in either of the above cases."

Amendment *agreed to.*

Mr. PARNELL moved, in page 68, line 41, to leave out the word "may," and insert the word "shall."

Amendment *negatived.*

Mr. PARNELL said, that when prisoners became insane in prison it was evident that their imprisonment had been too much for their minds. It was a horrible thing that a man, who was certified to be again of sound mind, should be sent back to prison to become again insane. A man's mind must be more or less permanently affected by the fact of his having been insane. He, therefore, moved to leave out in page 69, line 5, all the words after "imprisonment" to the end of the clause. He would like to know whether the provisions of this section would apply to convict establishments, or only to prisons? It was his impression that it referred only to prisons.

Amendment, by leave, *withdrawn.*

Mr. ASSHETON CROSS said, that he could not give an answer then, but would look into the matter.

Colonel STANLEY moved, in page 69, line 7, to leave out all the words after the word "prison."

Amendment *agreed to.*

Colonel STANLEY moved, in page 40, to leave out the postponed Clause 72, in order to insert the following clause:—

(Provost marshal.)

> "For the prompt repression of all irregularities and crimes which may be committed abroad, provost marshals, with assistants, may from time to time be appointed by the general order of the general officer commanding a body of forces.
>
> "A provost marshal or his assistants may at any time arrest and detain for trial persons subject to military law committing offences, and may also carry into execution any punishments to be inflicted in pursuance of a court martial, but shall not inflict any punishment of his or their own authority.
>
> "A provost marshal, attached to any forces on active service, or any of his assistants, may make a complaint to any officer in immediate command of any detachment or portion of such body of forces, against any person subject to military law who has committed any offence; and if in the opinion of such officer, it is not practicable, having due regard to the public service, that such offence should be tried by an ordinary court martial, it shall be lawful for him (although not authorised to convene a general court martial) to convene a field general court martial, and such court may try summarily the person so charged, and award punishment for his offence, and the sentence of the court shall be valid, and may be carried into effect if a sentence of capital punishment, when confirmed by the general or field officer commanding the force of which such detachment or portion forms part, and if not capital when confirmed by any general or field officer in such force."

He wished to explain, with regard to this clause, that, attention having been called to the very large powers given to the provost marshal, the Government had considered the whole subject very carefully. They proposed, therefore, to substitute for the original Clause 72 the new clause, which he now moved. It would be observed that the clause gave full power, first of all, to a general commanding a body of forces to appoint provost marshals, and the provost marshals were then given power to arrest and detain persons subject to military law. The clause did not give the provost marshal power of his own discretion to exercise punishment; he was only made an executive officer acting under authority. With regard to the punishments provided by the Act, the provost marshal, while upon active service, had the power to appeal to a court to be called summarily, and to that court was given the power to inflict the punishments which now could be inflicted by the sole power of the provost marshal. The remainder of the clause would explain itself, and he hoped that the Committee would allow it to be passed in the form in which it now stood.

SIR CHARLES W. DILKE said, that in the absence of his hon. and learned Friend the Member for Stockport (Mr. Hopwood) he would propose the Amendments which stood in his name. He, therefore, moved, in line 1 of the proposed new clause, to leave out "all irregularities," in order to insert "offences."

Amendment *agreed to.*

SIR CHARLES W. DILKE said, that he had now to propose, in line 2, after the word "abroad," to insert "on active service."

COLONEL STANLEY said, that this alteration went further than he thought was right. The provost marshal was, practically, a sort of police officer, whose duty it was to superintend the police of the camp. It would be very undesirable that the powers of the provost marshal should be limited to active service; although, as would be seen, it was only while on active service that they could bring persons before a summary court martial.

SIR GEORGE CAMPBELL remarked, that he was of the same opinion as the right hon. and gallant Gentleman the Secretary of State for War. Without the aid of the provost marshal, there would be no proper means of bringing a prisoner to justice.

SIR CHARLES W. DILKE thought that, while not on active service, the military police would have been quite sufficient.

Amendment *negatived.*

SIR CHARLES W. DILKE said, he did not intend to move the next Amendment which stood in the name of his hon. and learned Friend. He would, however, move the following Amendment, which was in line 7:—After the word "punishments," to insert "authorized by this Act." He did not know that the words were absolutely necessary; but he thought they made the matter somewhat clearer.

MR. CHAMBERLAIN thought that the right hon. and gallant Gentleman the Secretary of State for War ought to tell the Committee why he would not agree to this Amendment.

COLONEL STANLEY observed, that punishment not authorized by the Act could not be inflicted.

Amendment, by leave, *withdrawn.*

SIR CHARLES W. DILKE said, that the next Amendment he proposed to move was in line 7, to leave out "in pursuance," in order to insert "by sentence." It was not good English to say that a provost marshal was to carry into execution "any punishments to be inflicted in pursuance of a court martial."

COLONEL STANLEY said, that the reason the words were used was to clear up any ambiguity which would arise from saying that punishments were to be inflicted by sentence of court martial. Those words would have left it doubtful as to the confirmation of the sentence; but no doubt remained by using the expression "in pursuance of."

Amendment *negatived.*

COLONEL ARBUTHNOT moved, in line 8 of the proposed new clause, after the word "authority," to insert "on any soldier." The object of this Amendment was to make not the soldiers, but the camp followers, subject to the jurisdiction of the provost marshal. He was quite sure that anyone who had served either in India, or in any campaign in which soldiers from India had been engaged, would bear him out in the statement that it would be absolutely impossible to try every camp follower by field general court martial who happened to commit any offence. He did not know how military operations could be conducted if this were to go on. He had no wish to press hardly upon camp followers; and he would be perfectly satisfied if an undertaking were given that some order should be introduced into the regulations by which two officers should be appointed to attend the provost marshal in camp at a certain hour, and share with him the responsibility of inflicting punishment upon the camp followers. If either a regimental court martial or a field general court martial had to be summoned to try camp followers, the whole time of officers would be occupied in trying persons who were not in the Army. He felt very strongly against permitting any abuse of power by a provost marshal; but he thought there could be no objection to the proposal he had made. By camp followers he did not mean soldiers; but those who were employed as servants to the troops.

Sir HENRY JAMES said, that by the 167th clause of the Bill camp followers had been for the first time made subject to military law. What the hon. and gallant Member now proposed to do was not only to subject those persons to military law, but, at the same time, to allow the provost marshal and his assistants to inflict upon them any punishments they chose. If the hon. and gallant Member had thought there was any difficulty in trying such persons, he should have objected to their being made subject to military law.

Colonel MURE wished to point out that the Bill contained no definition of a camp follower. Many men who followed a camp could not be placed under the provisions of this Act.

Sir GEORGE CAMPBELL said, that his hon. and gallant Friend seemed to think that there would be some difficulty in determining what camp followers were, and that persons might be placed under military law improperly. He hoped that that would not be so. He thought that they had already determined what civilians should be subject to military law. It was proposed by the hon. and gallant Gentleman opposite (Colonel Arbuthnot) that soldiers should be tried in one way and civilians in another. He did not think that civilians ought to be left entirely at the mercy of the provost marshal.

General SHUTE hoped that his hon. and gallant Friend would withdraw his Amendment. He recognized the difficulty which he proposed to meet, which was one that any officer who had served in India could well understand. But he did not think that it was advisable to put such large powers in the hands of the provost marshal.

Major NOLAN did not think that there would be any difficulty in carrying out the Amendment. He had seen some batteries where the camp followers were beaten by order of the commanding officer, and others where the commanding officer called together three officers to give an opinion on the subject. It would have a much better effect if these punishments were inflicted by order of three officers than if they were directed by one.

Colonel ARBUTHNOT would not press his Amendment to a Division, if the opinion of the Committee was against him. He was quite sure that there could be but one opinion outside the House amongst those who had served in India, that it would be impossible to summon a court martial to try every camp follower.

Colonel MURE said, that this clause gave a right to place persons following a camp under military law. It did not specify how near the camp persons must get to bring themselves under the Act, or if there was any radius within which they were liable. He might point out that, by the 11th section of the 167th clause, camp followers were defined to be persons who were allowed to be so. It might be provided that persons should be forbidden to come into the camp.

Amendment *negatived.*

Major NOLAN said, that he should not move the Amendment of which he had given Notice—namely, to leave out "having due regard to the public service," if the right hon. and gallant Gentleman would explain what the words meant.

Colonel STANLEY said, that he was advised to leave the words in the clause, in order to make it clear what circumstances should justify an officer in considering that it was not practicable to summon an ordinary court martial. "Having due regard to the public service" meant that an officer was to consider whether the Public Service would suffer by delay caused by summoning an ordinary court martial. He was not to run the risk which would be caused by delay to the Public Service.

Major NOLAN said, that if these words were left in the clause there would be eight or ten times as many courts martial than if they were struck out. These summary courts martial would always be held whenever there was the least inconvenience in holding an ordinary court martial; the whole matter depended very much upon what a field general court martial was. He did not suppose that any officer there knew exactly what such a court martial was; that was not surprising, for they had not been in use for 50 years. A field general court martial was utterly opposed to any custom or to any rule which governed an ordinary court martial; it was totally irregular, and conducted in quite a different manner from an ordinary general court martial. It was for that reason that he did not wish the

Committee to sanction a field general court martial, if any other court martial could be held. A field general court martial possessed the power of capital punishment, as well as the power of flogging. In his opinion, its sentences ought never to be put in execution until approved of by the Commander-in-Chief of the whole Army, because it was so totally irregular and informal. Formerly, a field general court martial was restricted to trying offences committed against the inhabitants of the country; it was held on the spot by any three officers, and was presided over by the officer who convened it. Such a court could be convened by any officer, if he could get the attendance of two other officers of any rank—perhaps subalterns—and it had power to sentence any man to death. The old rule was that no sentence should be carried into effect until the General commanding-in-chief had sanctioned it, so extra-judicial and summary was the court. He believed that the right hon. and gallant Gentleman the Secretary of State for War would propose two Amendments, which would considerably mitigate it. But the court was so irregular that it ought not to be held when it was possible to hold an ordinary general court martial. He was strongly of opinion that a field general court martial should only be held in very extraordinary cases. By leaving out the words "having due regard to the public service," they would prevent the court being used when it was possible to hold an ordinary general court martial.

SIR WILLIAM HARCOURT asked the Government to consider favourably the Amendment of the hon. and gallant Member for Galway (Major Nolan). In Clause 49, a field general court martial was empowered to try offences against the property and person of any inhabitant or resident in any country beyond the seas. An entirely new jurisdiction was now given to this court, and the court of the provost marshal was practically drawn upon the lines of a field general court martial defined in Clause 49. A field general court martial was to be held, under Clause 49, whenever, in the opinion of the officer commanding a detachment, it was not practicable that an offence should be tried by an ordinary general court martial. There were no words in that clause as to having due regard to the public service. He thought that it should be expressly provided that a field general court martial was not to be resorted to, except it was not practicable to convene a general court martial. If these words, "having due regard to the public service," were not necessary in Clause 49, they were not necessary in that clause.

SIR GEORGE CAMPBELL said, that they might have many cases of petty offences committed by camp followers which it was necessary to deal with summarily. They had taken away the power of the provost marshal to deal with these cases himself, and had substituted a field general court martial. It seemed to him that if these words were struck out it would be necessary, if not absolutely impracticable, to bring together a general court martial of seven officers, in order to try these petty offences. The acceptance of the Amendment would make it necessary that a regular court martial should be summoned whenever practicable, although at the greatest inconvenience to the Public Service.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) said, that the Amendment of the hon. and gallant Member for Galway would bring this clause into harmony with Clause 49. As had been pointed out by the hon. and learned Member for Oxford (Sir William Harcourt), it would be extremely inconvenient to have the words "having due regard regard to the public service" in the one clause, and not in the other. For those reasons, he was disposed to agree with the Amendment of the hon. and gallant Member.

Amendment *agreed to.*

MAJOR NOLAN said, that he had to move, in line 18 of the clause, to insert, after "confirmed by," "the general or field officer commanding the force, and if not capital, when confirmed by." His suggestion was that sentences should be confirmed by a general officer; but if a general officer were not near, then by a field officer, in all cases of punishments not capital—such as flogging. He preferred to put the responsibility upon the general officer when he was near, and upon the field officer when a general officer could not be reached. He did not object to a field officer having the power to confirm a sentence when a general was absent; but he thought that when both were present then the general should have the responsibility.

COLONEL STANLEY pointed out that there was a great difficulty in defining the exact circumstances under which this was to apply.

MAJOR NOLAN said, he would not press his Amendment.

Amendment, by leave, *withdrawn.*

MAJOR NOLAN said, he had put down two separate Amendments to follow on here, but the first was no longer applicable; and as to the second, if he was informed that there was any means by which the records of courts martial should be kept, that would be sufficient. He did not think, however, it was provided in any other part of the Bill; and, therefore, he wished to move this Amendment. His great objection to the provost marshal was mainly based on the fact that no record was kept of his proceedings. Therefore, in order to see what the right hon. and gallant Gentleman would say, he would move to add, at the end of the clause—

"And records of such field general courts martial shall be kept as provided in this Act for garrison courts martial."

COLONEL STANLEY said, he would agree to the Amendment if the hon. and gallant Gentleman would leave out the word "garrison," and insert instead the word "district." There were now no garrison courts martial.

MAJOR NOLAN accepted the Amendment, and moved to add the following words:—

"And records of field general courts martial shall be kept for the said time provided in this Act for district courts martial."

SIR GEORGE CAMPBELL thought the Amendment might be very inconvenient, as for mere petty offences they would be obliged to keep the same exact record of everything connected with the trial as though they were district courts martial.

COLONEL STANLEY explained, that it was only the records which would be kept.

Amendment *agreed to.*

On Question, "That the Clause, as amended, be added to the Bill?"

SIR GEORGE CAMPBELL heartily supported the new clause which had been substituted for Clause 72, and which was entirely in accordance with his own views. He entirely approved of the substitution of very summary courts martial for the provost marshal; but he was a little apprehensive lest in taking away the powers of the courts martial they should never provide for the case of a summary detachment acting apart from the Regular Army. Offences against the inhabitants of the country were most likely to arise; in such cases where three officers would not be available for the court martial, or a field officer be ready to confirm it. It was with that view that he ventured to submit this addition to the clause—

"If three officers cannot be assembled for such trial the field court martial convened for a summary trial under this section may consist of two officers, or, if there be only one officer with a detachment of troops, that officer may alone exercise the powers of a field court martial as above. If there be no provost marshal with a detachment of troops on active service the officer in command may order any person to be tried in the same way as if complaint had been made by a provost marshal. If there be no field officer present with the detachment the officer in immediate command may confirm the sentence, subject to revision at any time by the general officer in command."

The practical effect would be to give one or two officers in the field the powers summarily exercised by a police magistrate in regard to petty offences. He had expressly exempted the punishments of death and long terms of imprisonment, which were to be subject to the revision of the officer in command.

MAJOR NOLAN thought the Amendment scarcely applicable to the case of civilized warfare, for there they could not imagine a case where they would not be able to get one officer; while, in the case of need, the proper remedy would be to give Native officers the power to sit on a court martial. Besides, what was the use of the provision? It did not contain sentence of death, and in cases of sentence of imprisonment, what was the good if a man must remain a prisoner until his sentence was confirmed? If it had been a case of flogging he could have understood it.

SIR WILLIAM HARCOURT pointed out that another objection was that the proposal was inconsistent with Clause 49, which was intended to deal with the cases of offences against the persons of inhabitants of the country. This clause proposed to deal in a totally different manner with an offence which was already dealt with under that clause.

MR. ELLIOT objected to the powers given in the last three lines by which the officer in immediate command of a detachment might confirm a sentence. Such a power as that seemed to him to be absurd.

COLONEL STANLEY said, the same objection had occurred to him; but, apart from that, he did not believe that they would be able to carry this clause practically into effect. He hoped the Committee would accept the clause as it stood.

SIR GEORGE CAMPBELL would not press his Amendment if the right hon. and gallant Gentleman could not accept it; but still it seemed to him impossible that this clause and Clause 49 could stand together. Clause 72 was a general clause applying to all offences; and, consequently, any offence being a military offence would be tried by court martial, confirmed by any field officer, and carried into immediate execution, whereas the special provisions made in Clause 49 gave a far less summary process.

Amendment, by leave, *withdrawn.*

MR. SULLIVAN wished cordially and most heartily to congratulate the Secretary of State for War, and the Committee, on the reformation accomplished by this clause. In the years to come the serious change of getting rid of the provost marshal would be one of the reasons which would justify the conduct of Members of that House who had made such efforts to amend the Bill.

Question put, and *agreed to.*

COLONEL STANLEY moved, in page 103, after Clause 177, to insert the following Clause:—

(Power of Her Majesty to make Articles of War.)

"It shall be lawful for Her Majesty to make articles of war for the better government of officers and soldiers, and such articles shall be judicially taken notice of by all judges and in all courts whatsoever: Provided, That no person shall, by such articles of war, be subject to suffer any punishment extending to life or limb, or to be kept in penal servitude, except for crimes which are by this Act expressly made liable to such punishment as aforesaid, or be subject, with reference to any crimes made punishable by this Act, to be punished in any manner which does not accord with the provisions of this Act."

Clause *brought up,* and read the first time.

SIR CHARLES W. DILKE asked whether it was necessary to insert this clause? It certainly was put in a very moderate form, and greatly modified as compared with the clause originally introduced; but, for his part, he could not see any necessity for it at all. The hon. and learned Member for Oxford (Sir William Harcourt) said it was a great point gained, when the Articles of War were put into the Bill; and, therefore, he could not understand why those powers should be preserved.

SIR WILLIAM HARCOURT said, one of the earliest points considered by the Committee, and one on which they certainly came very early to a conclusion, was, that this matter could not be corrected unless the Articles of War were consolidated with the Act. His Royal Highness the Commander-in-Chief assented to that general proposition. He pointed out that there might be some difficulty in cases, if there were no power whatever of issuing an Article of War to meet some unforeseen case or sudden emergency. No harm could come of this proposal, because, if any Article of War were ever issued which did not meet the approval of Parliament, it could be dealt with every year when the Mutiny Act was under consideration. The old law gave the Crown unlimited powers to make Articles of War of any kind, dealing with any offence, and giving any punishments. Then that power was limited, so as not to be inconsistent with the Mutiny Bill, but it only applied throughout the British Islands; while, in this Bill, that rule was to apply everywhere. He could not conceive a greater concession than that. As the clause stood, they had dealt with almost every question which could be dealt with in an Article of War, and no Article could be issued inconsistent with this Bill, nor any Act nor Article of War be issued dealing with a matter with which the present Articles of War dealt, because they were incorporated with the Bill. Therefore, these could only be issued for some unforeseen contingency or some necessity in the Army which required immediate remedy. Even then, if Parliament did not approve of the went too far, or it stopped short too soon. He would respectfully urge upon the right hon. and gallant Gentleman that this clause either went too far, or else it did not go far enough.

SIR HENRY HAVELOCK trusted that the right hon. and gallant Gentleman the Secretary of State for War would agree to strike these words from the clause. By so doing they would bring the power to make Articles of War more entirely in accord with the Act than at present. It was obviously the intention of the right hon. and gallant Gentleman himself to do that.

COLONEL MURE observed, that if there was a meaning in English, the clause must signify that, except as to punishments extending to life or limb or penal servitude, the Articles of War had power to legislate. The Articles of War were to provide for certain cases not provided for in the Act; but, practically speaking, they had no power to inflict punishments except under the Act.

COLONEL ALEXANDER did not think it possible that any new crime could be created by the new Articles of War. It seemed to him that every offence that could possibly be committed by man, either on active service or at home, had been put in the Bill. He did not think that in any Articles of War that might be framed within the next 50 years it would be necessary to provide for any new offences.

SIR CHARLES W. DILKE asked for what, then, were the Articles of War required? The hon. and learned Member for Oxford had told them that in 1813 the Duke of Wellington proposed that Articles of War should be issued for certain purposes. Many things had been provided for by those Articles which did not exist at the present time, and the present Bill had been made so complete that there was no reason to have any Articles of War.

MR. E. JENKINS said, that the hon. and learned Gentleman the Solicitor General had told them that it was necessary to have a power for the Crown to make new Articles of War creating new crimes which did not extend to life, or limb, or penal servitude. They therefore knew what the Government was endeavouring to do.

MR. A. H. BROWN said, that the Amendment, to be consistent, should be to leave out all the words after "articles of war" in line 4, to "or" in line 7. The clause would then run—

"Provided, That no person shall, by such articles of war, be subject with reference to any crimes made punishable by this Act to be punished in any manner which does not accord with the provisions of this Act."

Question put.

The Committee *divided*:—Ayes 95; Noes 52: Majority 43.—(Div. List, No. 164.)

MR. E. JENKINS stated, that he did not intend to move the four clauses standing in his name, because, in the first place, a Committee had been appointed to examine into the condition and organization of the Army; and, secondly, because he did not think they could have such a discussion on it as would do justice to the subject at that moment.

Clauses, by leave, *withdrawn.*

MR. PARNELL moved, in page 11, after Clause 28, to insert the following clause:—

(Rules of Evidence.)

"The rules of evidence to be adopted in proceedings before courts martial shall be the same as those which are followed in civil courts; and no person shall be required to answer any question or to produce any document which he could not be required to answer or produce in similar proceedings before a civil court."

Clause *agreed to,* and *added* to the Bill.

MR. E. JENKINS moved to report Progress. The clauses which he wished to move would come on almost immediately; and the Committee, he thought, had already done sufficient work for the night.

THE CHANCELLOR OF THE EXCHEQUER did not imagine, on the other hand, that it was necessary to move these clauses exactly in their place in the Bill. It would be convenient for them to go on with the other Amendments, and to leave this to come later.

THE CHAIRMAN: I beg to point out to the Committee that the practice of the Committee has always been to take the clauses as they stand on the Paper. The hon. Member just now stated that he had certain clauses which he wished to withdraw; and though they were not immediately in Order, with the consent of the Committee they were allowed to be withdrawn. Still, he will have no right to insist on overriding those clauses which stand before him.

Motion, by leave, *withdrawn.*

MR. PARNELL moved, in page 16, after Clause 40, to insert the following clause:—

(Trial for offence to take place within three months of commission.)

"No person subject to military law shall be tried for an offence against the preceding clause after an interval of three months has elapsed from the commission of such offence."

COLONEL STANLEY hardly thought the clause would do as it stood. [MR. PARNELL referred to Clause 40.] He (Colonel Stanley) was afraid the same objection would obtain there. It would be exceptional, of course; but it would not do to lay down a hard-and-fast line.

COLONEL MURE thought it would be a premium for committing offences under Clause 40.

MR. CHAMBERLAIN said, the hon. and gallant Gentleman could not have read that clause. That clause was to apply to the following offences:—

"Guilty of any act, conduct, disorder, or neglect, to the prejudice of good order and military discipline, though not in the Act otherwise specified."

It would puzzle any soldier to be guilty of an offence not otherwise specified in the Act.

MR. PARNELL said, surely an offence not dealt with somewhere in that Act would not be likely to be found out. In the first place, the offence must be of so indefinite a character that the soldier would have great difficulty in knowing about it. If it was so extraordinary, it could not be so difficult to discover and punish any long time after it was discovered. He thought the Secretary of State for War might give way under the circumstances. It was really too late to argue the matter.

Amendment *negatived.*

MR. PARNELL rose to move, after Clause 41, to insert the following clause:—

(Trial for certain offences to be before civil court.)

"Where practicable every person subject to military law who commits any of the offences mentioned in Schedule of this Bill shall be proceeded against before a civil court of competent jurisdiction, and, on conviction, shall be punished in accordance with the provisions of the statute or statutes dealing with such offence."

THE CHAIRMAN: This new clause, I think, cannot be introduced; for Clause 41 having been adopted as it stands, I think it is inadmissible to move this new clause, because it conflicts with Clause 41.

MR. PARNELL asked a question of the Chairman, sitting with his hat on. ["Order, order!"]

MR. PARNELL, rising: I was perfectly in Order. The Chairman was standing, and therefore I was quite in Order in addressing him from my seat with my hat on.

COLONEL MURE: May I ask you, Sir, for your direction on that point?

THE CHAIRMAN: The hon. Gentleman is not in Order to address the Chair sitting, with his hat on, except during a Division, or when he speaks on a matter relating simply to the calling of a Division.

MR. PARNELL said, he would move the Amendment on the Report.

SIR HENRY HAVELOCK moved, in page 18, after Clause 43, to insert the following clause:—

(Redress of wrongs.)

"Every officer who shall be accused of any military offence under this Act, and whose conduct in that respect shall have been investigated by a court of inquiry, shall be entitled, if he demands it, to receive a copy in writing of the opinion of such court of inquiry, or of the opinion formed by the officer who assembled that court, upon the evidence adduced before it.

"And if the accused officer challenge such opinion he shall not be liable to be removed from his appointment, or to be placed upon half-pay, without being first afforded the opportunity of refuting the charges made against him, in open trial, before a general court martial: Provided always, That nothing hereinbefore contained shall affect the undoubted prerogative of Her Majesty to remove any officer from the Army, or to place him upon half-pay, upon the recommendation of the Secretary of State for War made upon his official responsibility."

This clause was one of considerable importance; but he did not desire to delay the progress of the Bill, nor to debate the point at any length. The right hon. and gallant Gentleman, in the Paper issued that day, had in substance conceded the first part of his clause; and as to the second part, he should be glad to know whether the right hon. Gentleman could not accept it? It proposed to give an officer the right of appeal against the opinion of any court martial, and that was no greater concession than the concession already made by the right hon. and gallant Gentleman. Indeed, the Secretary of State for the Home Department went so far as to say that no court martial should inquire into offences which could properly be tried by a court martial. His clause embodied that, and nothing more. If the Government would but admit that an accused person should have the right, if he challenged the accusation, of having his case dealt with by court martial, there was nothing more than that in his Amendment.

Colonel STANLEY was sorry that he could not assent to the second part. The first was already disposed of by the regulations he had issued that day. The hon. and gallant Gentleman must recollect that in the previous debate he expressly guarded himself against going as far as this, although he agreed that a Court of Inquiry should not take upon itself the functions of a court martial. He did not at all admit the premiss from which the second part of the clause was deduced, that a court martial could in any way affect proceedings against an officer's character ; it could only assist a commanding officer to come to a conclusion. He particularly did not want to constitute a Court of Inquiry, and the principle he wished to uphold was, when a commanding officer was the responsible person, he wanted to make the person who acted upon this report distinctly responsible, and that his rules went to that point. Practically, this inquiry would put the officer in the same position he would have occupied if he had been brought before his commanding officer. They knew that confidential reports always followed the inspection of a regiment, giving an account—a very fair account, he believed—of the conduct and character of the officers, for the guidance of their superiors. A very good rule had now been made that, whenever an officer had anything reported against him, he should be made acquainted with it at the time, so that he might have an opportunity to look to it, and see that he behaved better in future. The same thing had been provided with regard to a Court of Inquiry. If they reported facts which, in the opinion of the officer, did not justify a trial by court martial, but yet told against the officer, he was made acquainted with the report, which was to put him in as good a position as he could desire. He could not quite understand how his hon. and gallant Friend was to reckon out the latter part of his Amendment. He gave an officer the statutory right to a court martial; but the officer might have committed no offence, and yet might have been employed in some office or work for which he was manifestly unfit. Surely they were not going to give this officer the right to remain in that office, subject only to dismissal by court martial. He really did not see how the two parts of the last part of the clause could work together, because, undoubtedly, the Prerogative of the Crown was still to be left. He hoped, therefore, the Amendment would not be pressed.

Sir HENRY HAVELOCK replied, that the Secretary of State for War had taken up a position which forced him to repeat over and over again arguments which he thought had long since been done with. The discrepancy pointed out, and which appeared to exist, did not exist in fact; and he had provided for both points exactly as in the Amendment which he moved on the 1st of May. He did not desire in the slightest degree to restrict the Prerogative of the Crown ; but, on the other hand, he wished that the officer should have the right which had been given to the private soldier to such an extent that he could not even be mulcted of a day's pay without a court martial, if he chose. What he desired to claim for the individual officer was that when it was alleged that he was guilty of any offence under this Act, he should be allowed the privilege that attached of right to every civilian—and which, he maintained, a man did not lose by joining the Army—of being tried openly by his peers. At present, an allegation might be made against an officer that he had been deficient in some respect, or had committed some military offence, and that was submitted to the investigation of a court martial. He thought they had already come to a conclusion that courts martial should never be substituted for Courts of Inquiry; that they should never be the final inquiry, and that an officer should not be liable to be dismissed, or placed on half-pay, without being able first to prove his innocence before a court martial. His clause really did not interfere with the Prerogative, for it still would be open for Her Majesty, on the advice of Her responsible officers, if she thought fit, even where an officer had been tried and acquitted, to quietly say she dismissed him from the Service. The difference was that, in one case, a man was sent into civil life with a stigma on his name; while, in the other case, he could, at least, point to the decision of a court martial as a proof that, so far as that was concerned, he had been able to rebut the charge against him. The two divisions of this clause did not clash or conflict in the slightest degree. The charge made was that, while the Prerogative of the Crown still remained to dismiss an officer at any time without reason alleged, it did not extend to the dismissal of an officer after, and in consequence of, the decision of a court martial, until he had been first given the opportunity of rebutting the charge against him before a court martial.

Amendment *negatived.*

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

ARTIZANS' DWELLINGS ACT (1868) EXTENSION (*re-committed*) BILL.

(*Mr. W. M. Torrens, Sir Thomas Chambers, Mr. Goldney.*)

[BILL 236.] COMMITTEE.

Order for Committee read.

MR. GRAY said, he had some doubt whether the Bill, in its present shape, would strengthen the hands of the sanitary authorities in Ireland. He was inclined rather to think that it would diminish the power of these authorities to deal with the evils of overcrowding and unhealthy dwellings for the poor. However, he confessed he had not given to the Bill sufficient consideration to induce him to seek to impede in any way its progress; and he had only to express a hope that the next stage would be fixed for a period sufficiently distant to afford time for communication on the subject with some of the sanitary authorities in Ireland.

MR. MONK said, he should be glad to know what were the intentions of the hon. Member for Finsbury (Mr. Torrens) with regard to proceeding with the Bill that night, because he intended to oppose the 5th clause, which might give rise to some little discussion? That clause would compel the local authorities to purchase tumble-down houses, or houses which were unfit for habitation, if the owners should require them to do so. He did not know whether that clause had attracted the notice of the Government; it was an important clause; and he wished to ask his hon. Friend the Member for Finsbury, whether he intended to move to report Progress after the House had gone into Committee, or to press the Bill through that stage?

MR. W. M. TORRENS remarked, that it had been found, by practical experience, that without the compensation for which the Bill made provision it was wholly impossible to work the other powers given by law. He trusted that his hon. Friend the Member for Gloucester (Mr. Monk) would not persevere in his opposition to progress being made with the Bill, since it would be open to him on the Report to move either to amend or to expunge the clause to which he had referred. He hoped that, as the Government had had this matter under their consideration for weeks, and he might say, for months, and as there was no general opposition in the House itself to the measure, it might be allowed to pass through Committee that night.

MR. ISAAC reminded the hon. Member for Finsbury that he had not told the House whether he was willing to accede to the suggestion of the hon. Member for Tipperary County (Mr. Gray), and to fix a distant day, say 10 days hence, for the further consideration of the Bill. Unless the hon. Member was prepared to do that, he must oppose Mr. Speaker leaving the Chair.

MR. W. M. TORRENS thought it must be quite evident that, at this period of the Session, to name 10 days hence for the further progress of the Bill was virtually to discharge the Order. He must remind the House that the measure had yet to go up to the House of Lords. It had been six months before the House of Commons, and as, therefore, ample time had been afforded to every hon. Member to make up his mind as to what course he ought to take in regard to it, he did trust that the House would not think it was an unreasonable request that they should now be allowed to proceed with it. As to the appeal of his hon. Friend the Member for Tipperary County, he must say that, at the suggestion of Her Majesty's Government, the Bill was now limited very much to the case of the Metropolis. Its promoters had intended that it should be a general Act; but, in many cases, they had found that the Government were not prepared to extend what was termed the building clauses to the whole of the United Kingdom; and sooner than allow the Metropolis to remain in its present terrible state of overcrowding, those in charge of the Bill had deemed it their duty to take what they could get. Therefore, as the Government intimated their willingness to allow the building clauses to be retained for the Metropolis, leaving the compensation clauses to apply to the whole of the United Kingdom, the promoters thought it better to accept that compromise than to do nothing at all. To that arrangement he adhered, though he should be very glad, personally, to extend the whole of the provisions of the Bill to Dublin and other large towns in Ireland.

Sir HENRY SELWIN-IBBETSON hoped the House might allow the Bill to go into Committee. At the same time, he trusted that the hon. Member for Finsbury might also see the reasonableness of allowing at least a week to elapse before the Report was taken, in order that hon. Members might have an opportunity of considering the Amendments which they might wish to propose. He wished also to say, on the part of the Government, that there was one clause which, until his attention had been called to it that night, had escaped his notice—he referred to the terms on which it was proposed to borrow. He should himself like to consider that matter before it was finally ageed upon; and, therefore, he hoped his hon. Friend would consent, if the Bill were now allowed to pass through Committee, to the postponement of the consideration of the Report for at least a week.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Short title and construction of Act).

Mr. GRAY said, he had a formal Amendment to propose to this clause. The clause defined that the officer of health should be the Medical Officer of Health in England, appointed by the urban sanitary authority of the district under the Public Health Act of 1875. In Ireland, it should be the corresponding officer under the Act of 1878. He, therefore, begged to move, in line 22, after "1875," to insert—

"And as respects any urban sanitary district in Ireland, shall be the Medical Officer of Health appointed by the urban sanitary authority of the district, under the Public Health Act of 1878."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clauses 2, 3, and 4 *agreed to.*

Clause 5 (Owner may require local authority to purchase premises).

Mr. MONK remarked, that the clause proposed to throw a very heavy burden on the ratepayers, by compelling the local authorities to purchase any houses which might be considered as unfit for habitation. If an individual purchased house property which was in a bad state of repair, he ought—and under the existing law he was obliged—to rebuild, or put it in a fit state for habitation. He saw no reason why the ratepayers should be called upon to purchase such property; and yet, if the owner of it pleased, he could, under this Bill, compel the local authorities to take it off his hands. He did not know what view the Government took of this clause. He certainly thought it deserved their very serious consideration, and he should himself say "No" to the question that the clause stand part of the Bill.

Mr. DILLWYN thought the Committee ought to have some explanation respecting this clause. He quite agreed with what his hon. Friend the Member for Gloucester (Mr. Monk) had stated. It seemed to him that if this clause were passed it would operate in the direction of preventing the local authorities from undertaking the smallest improvements, owing to the fear they would have that if they were to give notice of any buildings being in a dangerous state it would be necessary to purchase the whole of them.

Mr. MONK repeated, that there could not be the slightest reason why an owner of a site should force the ratepayers to buy it; and, in order to raise that question, he moved to leave out all the words after "premises," to the end of the clause.

Amendment *agreed to.*

On Question, "That the Clause, as amended, stand part of the Bill?"

MR. W. M. TORRENS said, that experience had shown that in the Metropolis it was impossible to effect any improvement in the over-crowded districts, unless the local authorities were enabled to compensate the owners of property. He had presented Petitions from various local bodies, all asking that this Bill should pass. The practical effect of taking away that power which the ratepayers themselves had asked for would be to destroy the whole chance of the Bill working. He left it to the Government to say whether it was worth while defending the clause.

SIR HENRY SELWIN-IBBETSON hoped that the Committee might not assent to the removal from the Bill of what, practically, was the soul and body of the measure. A former Bill of the hon. Member had proved a dead letter in consequence of its containing no such power as this clause proposed to give. The Government had been induced to give the measure their support, because it sought to deal with a class of buildings not dealt with in a more recent Act of his right hon. Friend the Home Secretary, and supplied a link in a very useful class of legislation by removing a difficulty which had hitherto stood in the way of the local authorities in dealing with many of those terrible eyesores and nuisances which existed in the midst of their large towns, and especially of the Metropolis. Under these circumstances, he did hope that the Committee would not, at the eleventh hour, deprive the measure of the provision which alone would make it a useful one.

Clause *agreed to.*

Clauses 6 to 19, inclusive, *agreed to.*

Clause 20 (Power of local authority to make bye-laws for regulation of dwelling-houses).

MR. SALT said, that on behalf of his right hon. Friend the President of the Local Government Board, he had an Amendment to move at the end of this clause. The clause gave power to local authorities to make bye-laws; but it was not usual to give such power to the local authorities without some control or authority from the Central Department, and the words he had to propose on behalf of his right hon. Friend at the end of the clause were these—

"A bye-law under this Act, and any alteration made therein, and any repeal of a bye-law, shall not be of any validity until it has been submitted and confirmed by one of Her Majesty's Principal Secretaries of State, in the case of the Metropolis, or by the Local Government Board in the case of all other places."

Amendment proposed,

At the end of the Clause, to add the words "A bye-law under this Act, and any alteration made therein, and any repeal of a bye-law, shall not be of any validity until it has been submitted and confirmed by one of Her Majesty's Principal Secretaries of State, in case of the Metropolis, or by the Local Government Board in the case of all other places."—(*Mr. Salt.*)

Question proposed, "That those words be there added."

MR. LEEMAN characterized the Amendment as centralization to the utmost extent, and hoped the Committee might not agree to it.

Question put.

The Committee *divided*:—Ayes 32; Noes 17; Majority 15.—(Div. List, No. 165.)

Clause, as amended, *agreed to.*

Clause 21 (Expenses of local authority).

MR. PELL moved, in page 7, line 37, to leave out the words "three pence," and to insert the words "a penny." He thought they had already had several warnings on the subject of expenses chargeable on the rates under Acts of this description, and that it would be wise to limit the amount of money to be expended.

Amendment proposed, in page 7, line 37, to leave out the words "three pence," in order to insert the words "one penny."—(*Mr. Pell,*)—instead thereof.

Question put, "That the words 'three pence' stand part of the Clause."

The Committee *divided*:—Ayes 14; Noes 32; Majority, 18.—(Div. List, No. 166.)

Question proposed, "That the words 'one penny' be there inserted."

SIR HENRY SELWIN-IBBETSON said, he did not like to interfere, as the hon. Member in charge of the Bill had made no appeal to the Committee; but he really would like to ask whether hon. Members were really in earnest—["Yes, certainly!"]—in wishing to put in this sum? The limitation to a penny, in London, at any rate, would render it impossible, practically, to carry out any work under this Bill. He would remind his hon. Friend he had quoted the expenditure of the hon. Member.

Mr. PELL was referring to the Artizans' Dwellings Act. In that Act the amount was unlimited, while here they had a fixed sum. He hoped the Committee would give their decision against adopting 2*d*. instead of 1*d*. in order that they might improve away this measure, the further progress of which seemed to him undesirable.

Mr. DODDS reminded the Committee that the Act applied to the whole country; but if the hon. Gentleman who had charge of the Bill would confine its operation to the Metropolitan district, he would just as soon have 2*d*. inserted as 1*d*. In these times of intense depression he strongly objected to this increased taxation.

Mr. BARING supposed that the Committee had not voted without knowing what they were about. *Festina lente* was a motto which it would have been better if some hon. Gentlemen had remembered, and then they would have done more good, probably, in the end.

Mr. DILLWYN said, the Artizans' Dwellings Act was by no means a failure everywhere; for, in his own borough, it it had been put into operation very successfully. His objection to the Bill was that it enabled owners to get rid of what was very likely worthless property to the Boards. That Proviso, he thought, would very likely impede the progress of the Act, because it would prevent authorities from giving notice, and so putting themselves into the power of the owners, and being forced to purchase properties, whether or no.

Mr. W. M. TORRENS reminded the Committee that under the 5th clause compulsory power was given. He thought it was rather hard to raise this objection again, after what had been conceded. This Bill, by doing a little work here and there would save a great amount of other work under the Artizans' Dwellings Act. This was an alternative plan; but if the Committee would not adopt it he could not help it.

Mr. PELL thought his Amendment was entirely consistent, for under the Bill money was only required for the purchase of tumble-down buildings, and surely a penny rate would be enough for that.

Mr. GRAY doubted whether the Act would apply anywhere outside the Metropolis. At the same time, he did not see the good of passing it, and in the same breath rendering it inoperative. As the Committee had come to a conclusion not to allow 3*d*., he thought, at least, it might allow 2*d*.; otherwise, it would be far better not to load the Statute Book with inoperative Acts.

Question put.

The Committee *divided*:—Ayes 15; Noes 31: Majority 16.—(Div. List, No. 167.)

Sir HENRY SELWIN-IBBETSON moved to insert "two-pence."

Mr. PELL asked whether they could not split the difference, and say 1½*d*. At first they were all in favour of 1*d*.; but the suggestions from the Front Bench had inclined some hon. Members to change their minds.

Amendment *agreed to*.

Clause, as amended, *agreed to*.

Clause 22 (Loans from Public Works Loan Commissioners).

Mr. PELL moved, in page 8, line 16, to leave out the words "and also all mortgages of the local rates." The sites should be sufficient security on which to raise the sum required for the construction of the new premises. It seemed to him very dangerous to pledge the rates for purposes of this sort.

Amendment proposed, in page 8, line 16, to leave out the words "also by a mortgage of the local rate."—(*Mr. Pell.*)

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided*: Ayes 28; Noes 16: Majority 12.—(Div. List, No. 168.)

Mr. LEEMAN moved to report Progress. He appealed to the hon. Gentleman in charge of the Bill not to press it further. It was then 3 o'clock in the morning. The opposition to it was evidently *bonâ fide*; and as there were only just the number of Members in the

House sufficient to transact Business, he hoped his Motion would be accepted.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Leeman.*)

MR. W. M. TORRENS replied, that they were very nearly through, and they might as well go on.

Motion *negatived.*

MR. GRAY thought the limitation of the period of repayment of loans of seven years was too small. That would involve a repayment yearly of 15 per cent. In order to raise the question, he moved to substitute the words "twenty-one."

MR. W. M. TORRENS said, this limitation was introduced by arrangements with the Government in order to prevent money being borrowed for an excessive term. He himself, personally, entirely concurred in wishing to extend the period.

Amendment *negatived.*

MR PELL desired to point out that they were getting into some little confusion. The Amendment made in Clause 5 evidently showed that it was the opinion of the Committee that power should be given only to purchase structures; yet they were now proceeding to give power to mortgage the site which would not belong to the Board. He, therefore, thought they had better report Progress, in order that those in charge of the Bill might consider the matter.

MR. ISAAC pointed out that any alteration might be moved on Report.

Clause *agreed to.*

Clause 23 *agreed to.*

Schedule A.

MR. SALT moved (for Sir JAMES M'GAREL-HOGG) to insert in the third column, line 17, the word "or."

MR. W. M. TORRENS explained that the effect of the clause was to give the Metropolitan Board of Works alternate jurisdiction, so that if the Vestries would not undertake the work they might. He entirely agreed with the Amendment.

MR. DILLWYN asked if the clause gave additional power to the Board of Works! ["Yes!"] Then, certainly, this clause should be thoroughly explained.

MR. W. M. TORRENS said, there was a belief in some districts that the Vestries would hang fire, and not put this Act into force. In that case, they proposed to give a discretionary power to the Board of Works to overrule them. It was not proposed that that work should be out of the general rate of the Metropolis, but that the Board of Works should come in and do the work, and charge it on the rates of the Vestry.

COLONEL MAKINS could not see why, if the Vestrymen, who might be presumed to know all the requirements of their own district, did not choose to carry out the Act, that it was a proper thing for the Board of Works, composed of men from other parts of London, who did not know very much about the district in question, to come in to interfere.

MR. PELL said, the effect of the clauses would be to put the Vestrymen between the upper millstone of the Local Government Board and the nether millstone of the Board of Works, with a medical officer of health turning the handle. Surely these gentlemen were entitled to form an opinion whether work was necessary to be done, and he did not see why they should give a new authority power to overrule them. The Board of Works, with designs for streets and quays, and great works generally, might be influenced by considerations which would not influence the Vestry. He trusted they would be allowed proper time to consider this Amendment.

MR. SALT said, that he was not in charge of the Bill; but, referring back to Clause 12, the hon. Member for South Leicestershire (Mr. Pell) would find that the Amendment proposed not to create any new power of rating, but, on the contrary, to prevent the possibility of raising a certain rate; but he should prefer to leave his hon. and gallant Friend the Member for Truro (Sir James M'Garel-Hogg) to deal with the matter on Report, and, therefore, he would withdraw the Amendment.

Amendment, by leave, *withdrawn.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next.

MOTION.

EAST INDIAN RAILWAY (REDEMPTION OF ANNUITIES) BILL.

On Motion of Mr. Edward Stanhope, Bill to enable the Secretary of State in Council of India to create and issue Capital Stock in the United Kingdom in exchange for so much of the Annuity created under "The East Indian Railway Company Purchase Act, 1879," and thereby made chargeable on the Revenues of India, as may be purchased by the Secretary of State under that Act, *ordered* to be brought in by Mr. Edward Stanhope and Lord George Hamilton.

Bill *presented*, and read the first time. [Bill 244.]

House adjourned at a quarter after Three o'clock.

HOUSE OF LORDS,

Tuesday, 15*th July*, 1879.

MINUTES.]—Private Bill—*Third Reading*—Thames River (Prevention of Floods)*, and *passed*.

Public Bills — *First Reading* — New Forest Act (1877) Amendment* (149).

Second Reading — Cruelty to Animals (125), *negatived;* Cork Borough Quarter Sessions* (142); Highway Accounts (Returns)* (143).

Committee — *Report* — Marriages Confirmation (Her Majesty's Ships)* (124).

Third Reading — Public Health Act (1875) Amendment (Interments) (123); Sale of Food and Drugs Act (1875) Amendment* (127); Civil Procedure Acts Repeal* (132); University Education (Ireland) (134), and *passed*.

CRUELTY TO ANIMALS BILL.

(*The Lord Truro.*)

(NO. 125.) SECOND READING.

Order of the Day for the Second Reading, read.

Lord TRURO, in moving that the Bill be now read a second time, said, he had been induced to lay this Bill on the Table of the House by the numerous Petitions against the practice of vivisection signed by many thousands of persons—whose opinions, he might observe, were shared by a large number of medical men, some of them of undoubted eminence in their Profession. The object of the measure was to extend the provisions of Martin's Act, which applied to domestic animals only, to all animals whatever; and to prohibit the practice of vivisection for experimental purposes, or for any other purpose than that of alleviating or curing any disease from which the animal operated upon was suffering. He desired to treat the subject in the most rational and not in a rhetorical manner. The measure which had been passed by the Government a few years ago—the 39 & 40 *Vict.* c. 77—though framed with the best intentions, did not meet the views of those who entertained the sentiments he did on the subject of vivisection. It was quite true that the measure was framed in accordance with the Report of the Royal Commission which had been appointed to inquire into the matter; but a very eminent man told him that a Royal Commission was not generally an impartial tribunal, because its Members were chosen by those who had a bias with the object of seeing whether that bias was not well founded. He did not say that was a correct view, because he himself had always supposed that the object of a Royal Commission was to sift evidence and ascertain the truth; but it was impossible not to see in the proceedings of the Commissioners, who were not scientific men, if not a bias, certainly an inclination to adopt the views and opinions of the Medical Profession in relation to vivisection. Those who opposed vivisection did so, in the first place, on the ground that it was cruel and immoral; and, secondly, that it did not offer to the public the advantages which the Medical Profession claimed for it. If medical men were engaged in seeking remedies for nervous pains, he would suggest that vivisection was useless for that purpose; because nervous disease arose from hereditary cause or from excess. It was said that vivisection was valuable in the discovery of diseases of the liver and kidneys; but that proposition was denied by competent authority. The Royal Commission reported, however, that it was desirable to permit vivisection under certain regulations; and, under the Act of 1876, the practice was subjected to conditions and restrictions. But the thousands who had sent up Petitions against the practice believed that all restrictions were a failure. A witness stated to the Commissioners that from what he knew of medical schools and medical students, he believed that restrictive regulations would not be carried out by them. That was the evidence, not of a layman, but of an eminent medical man. He believed that those who advocated vivisection were led away by an Utopian idea—they hoped, through it, to arrive at a state of things which was utterly hopeless; and they alleged that if vivisection were prohibited humanity would suffer. That was not the opinion of the late Sir William Fergusson. The great discoveries in medicine and surgery had not been made by vivisection; they were the results of the careful work of trained anatomists, or of clinical observation and that long experience which was the basis of sure knowledge on all subjects. Again, it was said that if vivisection were prohibited here our medical students would go to Germany. He would let them go there rather than have in this country anything like the horrors they read of as being perpetrated in the medical schools of Germany and France. In all Professions there were enthusiasts; and he believed that the medical men who advocated vivisection were mistaken, and overrated their success in scientific discovery. There were enthusiasts in the Legal Profession and in the Church; but the law compelled even the last class of enthusiasts to keep within bounds. He believed that one witness told the Royal Commission that through vivisection he hoped they would discover a remedy for snake bites within 50 years. Let their Lordships only think of what an amount of suffering would be inflicted on countless animals in that time if the practice of vivisection were continued. Would the remote chance of a discovery for snake bites in 50 years justify them in permitting such an amount of suffering? Could their Lordships think that those who were moving in the matter would let it rest if the Bill were rejected? Certainly, he did not expect to carry the measure he now offered for their Lordships' acceptance; but thousands on thousands had petitioned for the total proscription of the practice, and the time was not far distant when there would be such a demand for its total abolition that there would be no alternative but to pass a measure of the same kind. As to licences, 45 licences for vivisection were granted in 1878; but of these 18 were not acted on. The number of experiments performed under the 27 active licences were 481. As to their nature, he would refer their Lordships to Return No. 127, from which it appeared that 317 experiments were performed under the licence alone; 87 under special certificates for experiments without anæsthetics; 30 under certificates permitting experiments illustrative of lectures, for which the use of anæsthetics was obligatory; 5 certificates dispensing with the obligation to kill the animal before recovery from anæsthetics—the experiments, about 18 in number, under these certificates being included in the 87 just mentioned. Whatever might be thought of these figures, those whom he represented were not satisfied with the results shown by that Return, though those who opposed the Bill might be. He and the petitioners felt that the practice was unjustifiable, and that it was impossible by any regulations to prevent the infliction of unnecessary pain on the animals subjected to vivisection.

Moved, "That the Bill be now read 2ª."—(*The Lord Truro.*)

EARL BEAUCHAMP, in moving that the Bill be read a second time that day three months said, that the noble Lord who had moved the second reading objected, in the first place, to the practice of vivisection; and, next, to the manner in which the Act of 1876 had been administered. He (Earl Beauchamp) must say that if there was any justification for the violent language that had been used that Act had been founded on a wrong principle. But he found that, in his evidence before the Royal Commission, Sir William Fergusson stated that he would not go the length of restraining rational men from doing what they thought necessary in experiments on living animals; but he would be for great caution in such experiments. Dr. Haughton also, who was claimed as an opponent of vivisection, declined before the Commission to say that he would in all circumstances entirely prohibit vivisection, though he did say that he would not leave any discretion to the operator. Both these eminent authorities were not opposed to vivisection under certain conditions. The noble Lord had sneered at Sir James Paget for saying that in 50 years a remedy might be discovered for snake bites, and asked whether vivisection was to be permitted on the chance of a discovery for the cure of snake bites 50 years hence? But when it was remembered that each year 20,000 human beings lost their lives from snake bites in India, their Lordships would probably be of opinion that a cure for snake bites would be a discovery of the last importance, and that the lives and suffering of our fellow-subjects in India deserved, at least, some consideration at the hands of the noble Lord. Every humane mind must shrink from contemplating the sufferings which were inflicted on animals; but they could not forget that men of the most humane character were in favour of experiments of this nature; but a good deal of prejudice existed on the subject of vivisection. Within the last 30 years the whole question had been changed by the discovery of anæsthetics, and how had the benefits of this discovery been gained? A knowledge of the use of anæsthetics had been gained because, in the first instance, they had been tested on the lower animals. In the evidence given before the Royal Commission there was an account of the most useful discoveries for alleviating human suffering which had been made by means of vivisection. Knowing that to be the case, and also that, at the present time, there was an immensely increased activity of physiological and biological research, the question arose how they were to deal with the circumstances in which they found themselves? In 1875, two Bills on that subject were introduced into Parliament—the one in that, and the other in the other House; and the result of those Bills was the issue of a Royal Commission. A third Bill dealing with vivisection was presented to the Royal Commission by the Society for the Prevention of Cruelty to Animals. The publicity of the proceedings of that Society, he must say, contrasted very favourably with the extraordinary secrecy and mystery adopted by the Society which promoted the Bill now before their Lordships. That Society shrank from affording proper facilities for duly testing the assertions and opinions they uttered. The Bill submitted by the Society for the Prevention of Cruelty to Animals to the Royal Commission provided that vivisection, under anæsthetics, in a registered place, and by a licensed person, might be allowed, but not for the purpose only of acquiring manual dexterity and skill. The Royal Commissioners drew up a Report, which was unanimously agreed to. That Report was embodied in the Act of 1876, the provisions of which, as far as they differed from the Report, were more stringent in the restrictions and regulations which they laid down. Then came the Act of 1876, under which a person holding a special licence from the Secretary of State might, with a view to the advancement of physiological knowledge, the prolongation of human life, or the alleviation of human suffering, perform those operations on animals under the influence of anæsthetics in a place which was properly registered. It was further provided that a person holding a special licence, and having a certificate from competent scientific authorities might, with the same object, in a duly registered place, perform such operations without anæsthetics, but on condition that the animals operated upon were reduced to insensibility. Parliament, after the fullest deliberation, sanctioned and adopted that policy of regulation. That policy the present Bill sought to reverse. It would repeal the Act of 1876, and substitute new provisions. If they were to take their stand on the principles laid down by the noble Lord opposite (Lord Truro), why were they to limit their sympathy, as was now proposed, to "vertebrated" animals? There was something half-hearted in stopping short in that way, and not including invertebrated animals also. On the other hand, he did not know the full meaning of the words "wantonly or barbarously," used in the 3rd clause; but he thought, perhaps, they might bring within its scope anybody who shot a rabbit. He next came to the consideration of how the Act of 1876 had worked. Returns on that subject had been laid before Parliament; and while he rejoiced at the very limited number of the operations which had been performed, he held that it did not follow that these experiments ought to be prohibited altogether. They had been told that the demand for vivisection was increasing, and that the appetite for it grew by what it fed upon. Therefore, it was satisfactory to find that the practice was not so largely adopted as they had been led to anticipate. The noble Lord talked of the suffering of animals; but what was the alternative? A witness of the highest authority had pointed out this obvious result—that if the Medical Profession were precluded from acquiring knowledge by these experiments they would be driven to experiment on their patients. The whole case against undue restrictions on vivisection was that the repeal of the Act of 1876 would really throw open the door to the consequences which were sketched in the Report of the Royal Commission—namely, either that those who were actuated by a thirst for science would pursue those operations in privacy and without due securities against abuse; or they would have some of the most intelligent and promising of their medical and surgical students driven to other countries. He did not think that either of those results would be satisfactory. Further investigation, he was sure, would remove a great deal of misconception with regard to the object of those who, from the highest and purest motives, had pursued these researches. They had to consider how to make use, in a proper manner, of the means which Almighty God had placed in their hands. The passing of this Bill would be a retrograde step, and would strike a serious blow at that research which had done so much to alleviate human suffering.

Amendment *moved* to leave out ("now") and add at the end of the Motion ("this day three months").—(*The Lord Steward.*)

THE EARL OF SHAFTESBURY requested leave for a few words on this sad question. He said that, notwithstanding what had been urged in answer to the noble Lord (Lord Truro), that noble Lord had done right in presenting a Bill for the total abolition of the practice of vivisection. Licences had been freely granted for painful experiments; for dispensing with anæsthetics, and with the obligation to kill the suffering animals after the experiment had been performed. Now, if this was done under the superintendence of a Secretary of State who had brought in the Bill, and who had ever declared himself, and truly, he (the Earl of Shaftesbury) believed, to be anxious for every possible abatement of the evil, what they were to expect from anyone who might succeed him, and whose opinions, tinctured by the idolatry of the day, were that everything was to be sacrificed to the image of science? No one, he believed, had laboured harder than himself to carry the present experimental Act. He had hoped much amelioration from it, but he found none; and more especially was he convinced of its inutility when he saw licences and certificates granted to Dr. Rutherford, whose abundant and cruel experiments were set out in the Report of the Royal Commission, and who himself had declared that his experiments, to be conclusive, must be tried on the living man. That Professor, moreover, did not stand very high in the medical world. His attention had been directed to the Hunterian Oration by Dr. Moxon in 1877, in which the Professor's doings were elaborately ridiculed, which remarks were endorsed and supported by many medical authorities. But the Act, he maintained, was not only useless, it was delusive and misleading. Many persons were lulled into a belief that by its provisions protection was afforded. So it was, no doubt; but it was protection to the vivisectors, and not to the animals. The noble Earl (Earl Beauchamp) had enlarged on the security of anæsthetics. He (the Earl of Shaftesbury) might ask on that point some preliminary questions. Were the anæsthetics administered at all? Were they carefully and accurately administered? What were they? Were they effective? Was it chloral? If so, a very weak application. Was it curare? If so—and he said it on the authority of the great vivisector, Claude Bernard—that it caused more suffering than it attempted to prevent. Was it morphia? Why that only utterly subdued the victim, without deadening the pain. There was much delusion in all these assurances; there was little confidence to be placed in them. But no fact had more influenced his judgment than the announcement of a public memorial to the well-known operator on animal life, M. Claude Bernard. This memorial was supported by many of the most scientific men in England, who testified their admiration of his zeal and skill in this department of science. He asked permission to give one specimen, out of many instances, perhaps hundreds, of the deeds of that singular man.

The extract was taken from Claude Bernard's *Liquides de l'Organisme*, p. 40.—

> "We cut out the kidneys from a bull-dog" [a pretty statement to begin with]. "Next day, twenty-four hours after the operation, the dog, without being enfeebled, appeared dejected, respiration was impeded, and sighing. He had vomited during the night. He refused all food and avoided movement, appeared to suffer, and at times cried out. In order that his cries should not disturb the neighbours we applied a muzzle pretty tightly." [What a spirit of consideration for the peace of the locality!] "When during the day we returned we found the dog lying dead, his muzzle bathed in a fetid fluid, which he had vomited. The muzzle had hindered the expulsion of the vomiting and caused the animal to be suffocated by it."

Such was the man that the philosophers delighted to honour! And that was the work of science!—of that which its worshippers called science—and yet among the promoters of the memorial might be found some who had testified, in the strongest manner, against the infliction of needless pain, and the practice of mere speculative vivisection. What, then, could be a fuller proof of a cruel and morbid curiosity, and what hope remained that investigators and operators, delighting in such things, would respect the principle, and be restrained within the limitations of the Act? Now, further, he observed that since the passing of the Act, as well as before, many learned lectures had been delivered, and many learned treatises published, denying altogether the value of vivisection; nay, more, maintaining that the results were fallacious, and more likely to lead to error than to truth. The contradictions of vivisectionists were surprising. They agreed in nothing but that the animals should be cut up. Now, the three following questions had been propounded and admirably handled in a recent work by Dr. Gimson:—

> "1. Have vivisections and painful experiments been of any scientific value? 2. Have they led to the discovery of scientific facts of permanent importance? 3. Are there not fallacies underlying such a method of interrogating Nature, which of necessity vitiate the results?"

Many sound and really scientific men were prepared to say "No" to the first two questions, and "Yes" to the third; and most justly, too. For was it not manifest that safe and accurate conclusions could not be drawn from examinations of an animal reduced to such an abnormal state? Were it placed under an anæsthetic, would not all its internal functions—he did not pretend to use professional language—be altered or suspended thereby, so as utterly to nullify all close and reliable deductions as to what might be the case in its natural and ordinary state? Was it under the operation of the knife, pure and simple—would not the pain, the terror of the wretched victim, render the conclusions still more fallacious? The vivisectors, many of them, felt the force of the argument. To evade it, they asserted — and, nevertheless, had the audacity to call themselves masters in science—that the poor animal whined and winced, and gave every indication of suffering, but that it was hard, dull, insensible. Others, claiming some portion of humanity, rejoiced that the animals had no forethought, at least, of the tortures that awaited them—an argument which, if of any value at all, might, in their zealous regard for the comfort of the human race, be brought to bear on the vivisection of idiots and babies. But scientific men of this stamp should be listened to when deploring their own ill-success. What said the famous Claude Bernard? Why, after 30 years of operations on living animals, he confessed—

> "Our hands, without doubt, are empty to-day, but our mouths full, it may be, of legitimate promises for the future;"

and he said no more; but yet that was the sole result of countless experiments of the most cruel description. And what said Dr. Rutherford? He (the Earl of Shaftesbury) must again refer to him. He allowed that—

> "His experiments were only suggestive of inferences, which, to become conclusive, would require the experiments to be tried on man."

Exactly so; but what, then, had been gained by this almost unprecedented torture of animals? Why, the important admission that continued experiments were useless, and that man himself must be subjected to torture before that Professor could arrive at a conclusion. And yet to this Professor had the power been renewed of the free and fruitless use of the knife! The vivisection of man was no new thought; the proposition had once been made by the great Professor Cheselden, and was rejected, solely because public opinion was not then ripe for such a step in scientific pursuit. He was happy to state that resistance was spreading rapidly, and extending through all parts of Europe and in America. Associations had been formed in France, in Italy, in Germany, and in Russia, for the total suppression of vivisection. Persons of all ranks and degrees, Professors and learned men were at the head of those associations, and much good had already been effected at Alfort and at Florence by their combined exertions. It was impossible, he said, in discussing this question, to avoid the repetition of old arguments and the production of similar instances. The opponents of the system urged, and urged truly, the brutalizing effects on the minds of the vivisectors, and on the minds of those who approved them. He would quote, in brief, but one instance; but it was a striking one, and he implored their Lordships to listen to it—it was extracted from an address delivered at Dresden by Baron Ernest von Weber, who took it from the work of Professor Goltz, of the Physiological Institution at Strasburg—

> "A very clever, lively young female dog, which had learnt to shake hands with both fore-paws, had the left side of the brain washed out through two holes on the 1st of December, 1875."

He begged them to mark the coolness and evident pleasure wth which he thus treated his pet companion.

> "This caused lameness in the right paw. On being asked for the left, the dog immediately lays it in my hand. I now demand the right; but the creature only looks at me sorrowfully, for it cannot move it."

Did their Lordships observe how he relished his barbarous experiments?

> "On my continuing to press for it, the dog crosses the left paw over and offers it to me on the right side, as if to make amends for not being able to give the right."

Without that fact, recorded on such authority, would it have been thought possible that an educated man should have been insensible to such an appeal? But he was so, and, revelling in his science, he prolonged his amusement.

> "On the 13th of January a second portion of the brain was destroyed."

But that was not enough—

> "On the 15th of February a third, and on the 6th of March a fourth, this last operation causing death."

Thus, to gratify the peculiar taste of the inhuman wretch, that poor little animal was kept under torture and examination, as foolish as it was ferocious, from the 1st of December to the 6th of March, a period of more than three months. Now, in what way, he asked, was true science advanced by such curious and refined cruelty? In what way was man benefited or knowledge blessed by such discoveries? And yet these were the certain and necessary consequences of legalized vivisection. Scientific men, he said, and, indeed, others, who ought to know better, were pleased to talk of the "lower animals." In what sense was the epithet "lower" to be applied to that affectionate little thing? Had their Lordships observed its unabated attachment to its cold-blooded master? Had they not been struck by its spirit of forgiveness under treatment so cruel? Had they not seen an exhibition of qualities that would have become a thinking being? And that was the use they made of the creatures committed to their charge—that the account they would render of their stewardship. All he could say was—and he said it truly and conscientiously—that, in every respect, he would infinitely rather be the dog than be the Professor. But whether the law was efficient or inefficient, whether vivisection was conducive to science, or the reverse, there was one great preliminary consideration. On what authority of Scripture, or any other form of Revelation, he asked most solemnly, did they rest their right to subject God's creatures to such unspeakable sufferings? The thought had troubled the mind of many vivisectors; it had deeply touched the heart of Sir Charles Bell. That they might take the life of animals for food, or to remove danger or annoyance, he fully admitted; but he utterly denied that they were permitted to indulge their curiosity, or even advance their knowledge, by the infliction of exquisite torture on the sentient creation. They were told, in haughty and dogmatic style, that the secrets of Nature could be learnt in no other way. Learned in no other way! Could it be believed that the Almighty had issued such a decree? The animals were His creatures as much as we were His creatures; and "His tender mercies," so the Bible told us, "were over all His works." He, along with many, repudiated such an atrocious and shallow doctrine; and, under that conviction, he would ever do his best to put down a system that was as needless as it was cruel.

THE BISHOP OF PETERBOROUGH said, that it had been his misfortune, on a few occasions, to differ from the noble Earl who had just sat down; but he had never done so with more reluctance than on the present occasion. He sympathized so heartily with the feelings he had expressed, and concurred so entirely with the sentiments of the concluding part of his speech—that the question had to be settled on principle, and that the lower orders of the creation had rights as against us, inasmuch as they, like ourselves, were God's creatures—such was his abhorrence and detestation of the instances of cruelty the noble Earl had mentioned, and such the sincerity of his repudiation of the doctrine that torture might be inflicted under the pretence of searching and interrogating Nature—that it was with great pain and reluctance that he found himself unable to support his demand for making vivisection absolutely illegal. Now, the Bill was directed against cruelty to animals; but everything depended on what was meant by the word "cruelty." He was willing to define it as "the infliction of unnecessary pain." Pain, of course, might be unnecessary in two ways—either when the object was one for which no pain ought ever to be inflicted—as, for instance, when a child tortured an animal—or, again, when it was in excess of the object for which it was sanctioned. If, however, the object for which pain was inflicted could be justified, and if the pain was not in excess of its object, it could not properly be characterized as cruelty. The question was, whether vivisection was ever necessary in order to preserve or to prolong human life? Now, the noble Earl (the Earl of Shaftesbury) had said the use of animals was given by their Creator for food. But what was food? Food was the means of prolonging human life. The killing of animals for the purpose of prolonging human life was as justifiable in the one case as in the other—nay, more so, because animal food was not necessary to a very large portion—perhaps, one might almost say the majority—of the human race, which sustained human life without the use of animal food. There was more necessity for inflicting pain, if pain was to be inflicted, for the purpose of curing disease than for the purpose of supplying human beings with food. As to the question of the real advantage to the science of surgery or medicine in the way of prolonging human life by the practice of vivisection, a single fact should outweigh any amount of abstract reasoning. He would mention one which he recently heard from one of the most eminent surgeons in London. The gentleman in question had become very famous in his Profession for his great skill and success in performing one of the most difficult and critical operations in surgery—one, of which it was said that the man who attempted it deserved to be tried for manslaughter—and he had declared that he had arrived at his skill and success in the operation, by which hundreds—he might say thousands—of human lives had been saved, by experiments in vivisection tried upon 12 rabbits, and tried under chloroform. Would anyone venture to say that those hundreds of human lives, that had been preserved to their families and children at an expenditure of the lives of 12 rabbits, had been preserved at an extravagant and wanton destruction of animal life? He would ask the noble Earl whether a total abolition of vivisection would not lead to virtual experiments on human subjects, because a surgeon who could not try an experiment upon an animal would, in the interests, or supposed interests, of his patients—to say nothing about the interests of science—be induced to try experiments on human subjects. Of course, they might say, with some plausibility, the human subject would be an assenting party. But that was an entire mistake. A surgeon, on the eve of a critical operation, would not ask his patient's opinion as to the manner in which that operation should be conducted. He earnestly desired that every precaution should be taken against the abuse of the practice of vivisection; but if it were not permitted under regulations, he feared it would be practised surreptitiously, and practised with a disregard of suffering which could not now exist. The securities of the present law might or might not be sufficient. If they were not sufficient, he earnestly hoped they might be made sufficient. In the very interests of human life, and in the interest of the very animal creation, as to the use of which for food they had that Scriptural charter to which the noble Earl appealed, he ventured earnestly to deprecate a complete, immediate, and total abolition of vivisection.

THE EARL OF CARNARVON said, that he was the author of the Act of 1876; it passed their Lordships' House in the same condition as he had introduced it; but in the House of Commons it underwent changes which, in his opinion, deprived it in a great degree of complete effectiveness. The Government, however, decided—and he thought wisely decided—to accept the Bill so altered, and it was incumbent on those who supported this Bill and desired to prohibit vivisection altogether to show that the Act of 1876 had, in some material points, been a failure. The noble Earl (the Earl of Shaftesbury), in his most eloquent speech, pronounced that Act to be a failure; but he failed to inform their Lordships in what respect it was a failure. The Act permitted experiments to be made for special purposes, and under special regulations; and if the Secretary of State did his duty he believed the Act of 1876 would work tolerably well. He agreed with the opinion that it was a great mistake to attempt impossible legislation. If their Lordships, in their natural disgust at the horrors perpetrated, framed an Act of such severity that it would be evaded, they would only defeat the object they had in view. And it seemed to him that the Bill of the noble Lord was of that character; it would not only defeat its own purpose, but it would open the door to further abuses. The Return that had been alluded to by the noble Lord (Lord Truro), and which had been recently presented in compliance with the Act of 1876, showed the state of things in regard to vivisection in this country. It showed, no doubt, a considerable number of experiments in last year—481 in all; but of these, 164 were of a character which it was possible to make without the use of anæsthetics, and there were only 16 which were accompanied by possible pain. He maintained that if they had gained only that their Lordships would have achieved an immeasurable blessing as compared with the state of things which preceded the passing of that Act. He could not vote for the Bill which the noble Lord had introduced, for the reason that he did not think the Act of 1876 had been wholly wanting in beneficial effects, and still less did he think that any proof had been given of its failure. He had heard with considerable regret, not so much the remarks of the noble Earl, who, on behalf of the Government, moved the rejection of the Bill, as the tone in which those remarks were made. The noble Earl adopted a tone of apology in referring to the Act of 1876; but he (the Earl of Carnarvon) hoped that was unintentional, and did not indicate the views of the Government on the subject. If the opinion got abroad that the Government was careless as to the enforcing of the restrictions contained in the Act —restrictions which it was the deliberate intention of Parliament to impose—a strong feeling of indignation would be aroused in some of the most powerful classes, who viewed this question, not merely as a matter of sentiment, but as one of gratitude and religion.

VISCOUNT CARDWELL said, as Chairman of the Commission which sat on the subject, and on whose Report the Act of 1876 was founded, he must give his cordial support to the Amendment. The scientific members of the Commission, he must declare, entered on their inquiry without any bias or inclination in favour of vivisection. The most eminent medical men from all parts of the country were examined before them, and nearly all were in favour of the cause of humanity. The result was the Act of 1876, introduced by the noble Earl; and the Return now referred to showed how beneficially it had worked. So beneficial appeared to him the results that he felt sure that the example which had been set by this country in regard to restrictions upon experiments was one which must, sooner or later, be followed by foreign countries in the civilized portion of the world. As far as he was able to judge, the existing law was being satisfactorily administered; and he saw no reason, at present, at any rate, for altering it.

LORD ABERDARE said, he was connected with the Society for the Prevention of Cruelty to Animals, and he wished to state that that Society had never advocated the total prohibition of vivisection. As the Bill was now drawn, it might be applied to shooting or vaccination. He believed that the existing law on cruelty to animals was very imperfect, and allowed acts of cruelty to be committed fifty times as numerous as those practised in vivisection. He would, therefore, urge upon the Government to make the necessary amendments in the law.

Lord WAVENEY objected to the unscientific manner in which many of the vivisection experiments had been conducted. He thought there was an element of good in the Bill, and that it might be made a useful measure in Committee. He should, therefore, vote for the second reading.

On Question, That ("now") stand part of the Motion?—Their Lordships *divided*:—Contents 16; Not-Contents 97; Majority 81.

CONTENTS.

Ailesbury, M.

Shaftesbury, E.

Winchester, L. Bp.

Calthorpe, L.
Camoys, L.
Colville of Culross, L.
Congleton, L.
De Mauley, L.

Kintore, L. (*E. Kintore.*)
Leigh, L. [*Teller.*]
Sherborne, L.
Stanley of Alderley, L.
Strafford, L. (*V. Enfield.*)
Talbot de Malahide, L.
Truro, L. [*Teller.*]
Waveney, L.

NOT-CONTENTS.

Cairns, E. (*L. Chancellor.*)
York, L. Archp.

Northumberland, D.
Richmond, D.
Westminster, D.

Abercorn, M. (*D. Abercorn.*)
Abergavenny, M.
Salisbury, M.

Amherst, E.
Beaconsfield, E.
Beauchamp, E.
Bradford, E.
Brownlow, E.
Carnarvon, E.
Dartmouth, E.
Devon, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Dundonald, E.
Gainsborough, E.
Granville, E.
Harewood, E.
Kimberley, E.
Lanesborough, E.
Lucan, E.
Morley, E.

Mount Edgcumbe, E.
Nelson, E.
Pembroke and Montgomery, E.
Redesdale, E.
Romney, E.
Rosse, E.
Spencer, E.
Stanhope, E.
Verulam, E.
Westmorland, E.
Wilton, E.

Cardwell, V.
Clancarty, V. (*E. Clancarty.*)
Cranbrook, V.
Gough, V.
Hardinge, V.
Hawarden, V. [*Teller.*]
Melville, V.
Strathallan, V.

Peterborough, L. Bp.

Aberdare, L.
Airey, L.
Ashford, L. (*V. Bury.*)
Bagot, L.
Bolton, L.
Boyle, L. (*E. Cork and Orrery.*)

Brodrick, L. (*V. Midleton.*)
Clanbrassill, L. (*E. Roden.*)
Colchester, L.
Crofton, L.
Delamere, L.
de Ros, L. [*Teller.*]
De Saumarez, L.
Ellenborough, L.
Elphinstone, L.
Emly, L.
Foxford, L. (*E. Limerick.*)
Gordon of Drumearn, L.
Gormanston, L. (*V. Gormanston.*)
Grey de Radcliffe, L. (*V. Grey de Wilton.*)
Hanmer, L.
Harlech, L.
Hartismere, L. (*L. Henniker.*)
Inchiquin, L.
Kenry, L. (*E. Dunraven and Mount-Earl.*)
Leconfield, L.
Lilford, L.
Lovel and Holland, L. (*E. Egmont.*)
Monson, L.

Mostyn, L.
O'Hagan, L.
O'Neill, L.
Oriel, L. (*V. Massereene.*)
Ponsonby, L. (*E. Bessborough.*)
Raglan, L.
Ranfurly, L. (*E. Ranfurly.*)
Rivers, L.
Robartes, L.
Rodney, L.
Rosebery, L. (*E. Rosebery.*)
Saltoun, L.
Selborne, L.
Silchester, L. (*E. Longford.*)
Stratheden and Campbell, L.
Strathspey, L. (*E. Seafield.*)
Sudeley, L.
Tredegar, L.
Ventry, L.
Walsingham, L.
Windsor, L.
Winmarleigh, L.
Zouche of Haryngworth, L.

Resolved in the *Negative*; and Bill to be read 2ª *this day three months.*

PUBLIC HEALTH ACT (1875) AMENDMENT (INTERMENTS) BILL.

(*The Earl Stanhope.*)

(NO. 123.) THIRD READING.

Bill read 3ª (according to Order).

Lord ABERDARE rose to move the insertion of three new clauses, which he hoped would receive the support of Her Majesty's Government and also of the Bench of Bishops. Those clauses were not of his own invention, but were embodied, nearly word for word, in a Bill which was introduced by Her Majesty's present Government in 1877. The clauses he proposed were as follows:—

I.—(*Provision of unconsecrated ground.*)

"In providing any cemetery under this Act the local authority shall set apart a portion thereof which shall not be consecrated; and the cemetery shall be divided in such proportions, and the unconsecrated part thereof shall be allotted in such manner and in such proportions as may be sanctioned by the Local Government Board: Provided always, that if the ratepayers assembled at any vestry duly convened shall, in pursuance of public notice duly given, resolve unanimously that the whole of such cemetery shall be consecrated, it shall not be obligatory on the local authority to leave a part thereof unconsecrated. If at any time within ten years thereafter the vestry, duly convened in pursuance of public notice duly given in that behalf, should determine that unconsecrated ground shall be provided for such parish, the provisions of this Act shall be applicable for providing the same.

II.—(*Provision of unconsecrated chapels.*)

"When a local authority under this Act shall build a chapel for the performance of the burial service according to the rites of the Church of England, they shall also build on the portion of such ground set apart for burials otherwise than according to the rites of the said Church, such chapel accommodation for the performance of burial service by persons not being members of the said Church as may be approved of by the Local Government Board; Provided always, that where it shall appear to such Local Government Board, upon the representation of a majority of the vestry of any parish, consisting of not less than three-fourths of the members of the same, that the building of a chapel upon the unconsecrated part of a cemetery is undesirable and unnecessary, it shall be lawful for the said Local Government Board, if they shall think fit, to signify their opinion to that effect to the local authority, which shall be thereupon relieved from all obligation to build the same; but such Local Government Board shall not signify their opinion aforesaid unless it be shown to their satisfaction that notice of the intention to propose to such vestry to make such representation was given in manner required by law for notices of vestry meetings, and of the special purposes thereof.

III.—(*Burial fees and charges.*)

"In any cemetery provided under this Act no fees shall be charged or received by any local authority in respect of any service done or right granted in the unconsecrated part of any cemetery but such as are identical in amount with the fees charged and received in respect of the same service or right in the consecrated portion of such cemetery, less any portion of such corresponding fees or payments which may be received for or on account of any incumbent, churchwarden, or sexton, or of any trustee for or on behalf of any incumbent, churchwarden, clerk, or sexton."

He (Lord Aberdare) did not understand why the Government, having inserted these provisions in their Bill of 1877, should now oppose their insertion in the present measure. He had every respect for rural Local Authorities; but he could not put implicit confidence in them as to the decision of these questions. One part of this Bill contained permissive legislation of the worst description; because it was left entirely to Local Authorities to say whether security should or should not be given against inequality as between Churchmen and Nonconformists in the matter of burial. The noble Lord concluded by moving that the first of these clauses be inserted in the Bill.

EARL STANHOPE said, he was unable to accept the Amendments proposed by the noble Lord. The Bill was on a broader basis than the proposed Amendments—which, indeed, were virtually included in the Bill already, as it was to be construed with the Cemeteries Act of 1847. Under the Burials Act the vestry was obliged to provide consecrated ground; but in the Cemeteries Act this was entirely optional, and the clause ran as follows:—

"The Bishop of the diocese in which the cemetery is situated may, on the application of the company, consecrate any portion of the cemetery set apart for the burial of the dead according to the rites of the Established Church, if he is satisfied with the title of the company to such portion; and the part which is so consecrated shall be used only for burials according to the rites of the Established Church."

The Local Authority, which was a much more important body than the Vestry or Burial Board, was under the Local Government Board, who would probably see to the carrying out of the Bill, and who had to make an annual Report to Parliament. But there was another argument. The noble Earl opposite (Earl Granville) had refused the other night to introduce Amendments into the Racecourses Bill, on the ground that it would endanger the loss of the measure "in another place." In the same way he did not wish to accept Amendments to this small and unpretentious Bill, lest it should fail of being carried in the House of Commons.

THE ARCHBISHOP OF YORK said, he could not support the Amendments—although he approved of many of them, and thought they might have the effect of providing additional safeguards—because, from the late period of the Session and the state of Business in "another place," to accept them would simply be to lose a very useful Bill, which would supply country communities, where the people did not care much about the Burials Question, with additional pieces of ground for the purposes of interment at a little distance from their overcrowded churchyards. Cases where this was required existed probably in thousands. With regard to one of the Amendments, he did not see the advantage of the unanimity which was insisted on as a condition of providing a consecrated ground only. Why should one factious guardian have the power to insist on having two burial-grounds instead of one in a parish where all others were agreed? It had been said that, whereas an abuse existed at Northampton under the Cemeteries Act, none could exist under the Burials Act. But this was not so, as he knew from experience. In a large town in the North of England, which was under the latter Act, the guardians had refused to apply for consecration of any portion of the burial-ground and to pay the necessary fees, although bound to do so by the Act. A portion of the ground was, however, consecrated, as it were, by invasion. But when that portion was exhausted the clergy were compelled, in defiance of the law, to bury in unconsecrated ground. The present was a practical measure, of a healing and excellent character, but one which would not ease off the Burials Question. To send it to be discussed in "another place" would simply be to vote to get rid of it, and that they did not desire to do.

Lord SELBORNE pointed out that the abuse just mentioned by the most rev. Prelate had been in violation of the law, and remedies were provided for disobedience to the law. Those persons who felt themselves aggrieved through the Burial Board refusing to carry out the law might come to the Queen's Bench for a *mandamus* to compel the Board to do their duty. The Cemeteries Act was never intended to be a compulsory measure; but companies were enabled to acquire land with their own money, and they were at liberty to use it either as consecrated or unconsecrated ground. But the present measure proposed to reverse the policy of the Church Rates Abolition Act, and to use the power of taxing communities by rates for the purpose of providing sectarian burial-grounds. This principle was both new and bad. Those who supported the measure could not have calculated its effect. The fact that particular towns had incorporated the Cemeteries Act in their Improvement Acts furnished no answer to objections on principle to general legislation of this kind. Those Acts belonged to private legislation, and could afford no argument for enabling the Local Authorities everywhere to levy rates in order to provide denominational burial grounds.

Earl GRANVILLE said, he did not think it necessary to add anything to what the noble and learned Lord had said as to the abstract principle of this Bill. He merely wished to make one remark. The noble Earl opposite (Earl Stanhope) had referred to his refusal to introduce an Amendment into the Race-courses Bill, lest the measure should be lost through delay. But he could not conceive that there was really any comparison between the case to which the noble Earl had referred and so important an Amendment as the present, which involved the equal treatment of Nonconformists. The Bill as it now stood would inflict upon the Dissenters an additional grievance. He believed the Nonconformist Members in the other House of Parliament felt so strongly as to the justice of these Amendments that if they were introduced they would not oppose the Bill when it went back to "another place."

Viscount CRANBROOK thought there was a complete misapprehension with respect to this Bill. It was not a question of voting by majorities. The Local Authority was quite different from the Vestry to which the noble Lord wished the appeal to lie. It was a Local Sanitary Authority—in fact, the Board of Guardians — who might, if they thought proper, provide a burial-ground for two or three parishes. The Local Government Board would have to be referred to, and would see that the burial-ground was a proper one. All the circumstances of the case considered, he believed that there was absolute security that justice would be done to all parties.

The Earl of KIMBERLEY said, the Local Government Board had no control over the urban authorities, but only over the rural. In his opinion, the Bill would destroy the equality provided by the Burials Act. Though it might be desirable to make better arrangements for cemeteries throughout the country, it ought not to be done at the expense of committing as much injustice as would result from the Bill.

Lord ABERDARE said, that in the present state of the House he would not press his Amendment to a Division.

On Question? *Resolved* in the *Negative:* Bill *passed.*

UNIVERSITY EDUCATION (IRELAND) BILL—(No. 134.)

(*The Lord Chancellor.*)

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."—(*The Lord Chancellor.*)

EARL SPENCER said, he wished, before the Bill left their Lordships' House, to refer to a matter of some importance which had occurred on the previous evening. On more than one occasion reference had been made to negotiations said to have passed between the Irish Government and certain influential personages in Ireland on the University question; and in "another place" Questions were put to, but no Answers were given by, Her Majesty's Government on the subject. His noble Friend the Leader of the Opposition in this House made some inquiry in this House with the same result. On Monday night his noble Friend on the Bench behind him (Lord Emly) alluded, with more distinctness than had hitherto been done, to the subject, and the noble Earl at the head of Her Majesty's Government answered him. Now, he conceived this matter to be one of great importance to Ireland, and explanations ought to be given of what had passed. Very important negotiations appeared to have gone on, or were said to have been going on, in Ireland between the Irish Government and some influential members of the Roman Catholic party touching this University question. Surely, that was a matter of great interest and importance. The noble Earl at the head of Her Majesty's Government, in reply to his noble Friend, described the whole matter as "a romance," and said that neither he nor his Colleagues had any knowledge whatever of the matter. For his part, he would like to know whether the noble Earl, who appeared to be taken by surprise on Monday night, had made it his business to ascertain if any such negotiations had taken place on the part of the Irish Government? It certainly seemed extraordinary that such important communications should have taken place, and should be entirely ignored.

THE EARL OF BEACONSFIELD: I certainly was taken by surprise last night by the statement of the noble Lord (Lord Emly) respecting negotiations on the subject of University Education in Ireland; but, although I was taken by surprise, I had no hesitation whatever in expressing my own views upon the question, and informing the House that I then heard of these negotiations for the first time, and could say the same with confidence for my Colleagues. I have since had an opportunity of speaking personally to several of them, and can state that such negotiations are entirely unknown to us. I dare say, when the matter is inquired into, a great deal of misconception will be found to have arisen from the use of the word "negotiations"—that being the term employed by the noble Earl who has just sat down. It is possible that the Lord Lieutenant may have held conversations with those deeply interested in the question of Irish University Education—he may have held conversations with Prelates of the Roman Catholic Church—as the noble Earl (Earl Spencer) himself must have had; but I have no authority for saying that such conversations have been held—it is only a suggestion of mine, to explain what the noble Earl himself seems to think there is no foundation for. I can only repeat what I said last night—that no negotiations to our knowledge have ever taken place on this subject; and if the Lord Lieutenant, for example, had held a conversation of any serious and formal character, he would probably have done me the honour of writing to me on the subject. But there is nothing of the kind; I cannot throw any light on the matter. I take it for granted that some conversations may have occurred, which have been described by the noble Earl by the somewhat important name of "negotiations;" but we have not sanctioned any negotiations, and we know of none that have been entered into on this subject.

EARL GRANVILLE: I must say that it seems rather extraordinary to hear the statement from the noble Earl at the head of the Government that no negotiations have been entered into. I should have thought this matter might have been cleared up by some communication with the Chief Secretary for Ireland, who is in this country. Is he en-should one factious guardian have the power to insist on having two burial-grounds instead of one in a parish where all others were agreed? It had been said that, whereas an abuse existed at Northampton under the Cemeteries Act, none could exist under the Burials Act. But this was not so, as he knew from experience. In a large town in the North of England, which was under the latter Act, the guardians had refused to apply for consecration of any portion of the burial-ground and to pay the necessary fees, although bound to do so by the Act. A portion of the ground was, however, consecrated, as it were, by invasion. But when that portion was exhausted the clergy were compelled, in defiance of the law, to bury in unconsecrated ground. The present was a practical measure, of a healing and excellent character, but one which would not ease off the Burials Question. To send it to be discussed in "another place" would simply be to vote to get rid of it, and that they did not desire to do.

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LORD ABERDARE said, that in the present state of the House he would not press his Amendment to a Division.

On Question? *Resolved* in the *Negative*: Bill *passed*.

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(*The Lord Chancellor.*)

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."—(*The Lord Chancellor.*)

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THE EARL OF BEACONSFIELD: I certainly was taken by surprise last night by the statement of the noble Lord (Lord Emly) respecting negotiations on the subject of University Education in Ireland; but, although I was taken by surprise, I had no hesitation whatever in expressing my own views upon the question, and informing the House that I then heard of these negotiations for the first time, and could say the same with confidence for my Colleagues. I have since had an opportunity of speaking personally to several of them, and can state that such negotiations are entirely unknown to us. I dare say, when the matter is inquired into, a great deal of misconception will be found to have arisen from the use of the word "negotiations"—that being the term employed by the noble Earl who has just sat down. It is possible that the Lord Lieutenant may have held conversations with those deeply interested in the question of Irish University Education—he may have held conversations with Prelates of the Roman Catholic Church—as the noble Earl (Earl Spencer) himself must have had; but I have no authority for saying that such conversations have been held—it is only a suggestion of mine, to explain what the noble Earl himself seems to think there is no foundation for. I can only repeat what I said last night—that no negotiations to our knowledge have ever taken place on this subject; and if the Lord Lieutenant, for example, had held a conversation of any serious and formal character, he would probably have done me the honour of writing to me on the subject. But there is nothing of the kind; I cannot throw any light on the matter. I take it for granted that some conversations may have occurred, which have been described by the noble Earl by the somewhat important name of "negotiations;" but we have not sanctioned any negotiations, and we know of none that have been entered into on this subject.

EARL GRANVILLE: I must say that it seems rather extraordinary to hear the statement from the noble Earl at the head of the Government that no negotiations have been entered into. I should have thought this matter might have been cleared up by some communication with the Chief Secretary for Ireland, who is in this country. Is he entirely ignorant of what the noble Earl has said on the subject—namely, that a proposal of an important character was made by the Irish Government, and that it was accepted by influential persons connected with the Roman Catholic Church? Has the noble Earl the Prime Minister heard that statement without communicating with any of his Colleagues in the Cabinet? I, of course, accept the assurance of the noble Earl; but still it appears to me an extraordinary business.

THE EARL OF BEACONSFIELD: I wish to correct a misapprehension on the part of the noble Earl who has just sat down. I have communicated—as I have already said—with my Colleagues in the Cabinet; but it should be remembered that the Chief Secretary is not a Member of the Cabinet; and when there is a rumour it is not for me to go and ask him whether it is true or not. It is for the authorities in Ireland, when such negotiations take place, to communicate with me, and they have not done so.

LORD EMLY: I think the noble Earl is wrong, when he says I used the word "negotiations" in reference to this subject on the previous evening.

THE EARL OF BEACONSFIELD: What I said was, that the noble Earl who spoke first (Earl Spencer) made use of the word "negotiations."

LORD EMLY: The word I used was "proposal." What really happened was this. The Irish Government found out, from communication with persons of importance connected with the Roman Catholic Church, that they would be disposed to accept a certain proposal. I made no complaint against the Irish Government. I rose principally for the sake of saying what I ought to have stated yesterday, that, although the Irish Government had neither directly nor indirectly consulted me as to certain proposals made by them in the month of February on the subject of University Education to some leading Roman Catholics in Ireland, I had been shown a copy of these proposals within the last three weeks under no seal of secrecy. I could not understand the heat shown by the Prime Minister on the subject, for the course taken of ascertaining whether the Roman Catholics would accept a measure founded on these proposals was obviously a proper one, and,

as the noble Earl (Earl Spencer) had pointed out, according to precedent.

Motion *agreed to;* Bill read 3^a accordingly.

An Amendment made in Clause 7, at end of clause add ("other than a degree in medicine and surgery").

Bill *passed*, and sent to the Commons.

House adjourned at half past Eight
o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 15*th July*, 1879.

MINUTES.]—PUBLIC BILLS—*Ordered—First Reading*—National School Teachers (Ireland)* [246].

Committee—Report—Army Discipline and Regulation * [88-245]; Commons Act (1876) Amendment * [233].

Third Reading—Children's Dangerous Performances * [229], and *passed.*

QUESTIONS.

EXHIBITION OF ZULUS AT ST. JAMES'S HALL.

WITHDRAWAL OF QUESTION.

MR. E. JENKINS, who had given Notice of his intention to ask the Secretary of State for the Home Department, Whether he has stopped the exhibition of Zulus at St. James's Hall; whether, in order to do so, he threatened to get the licence of the proprietors or lessees suspended; by what legal or other process a Home Secretary is enabled to suspend or to interfere with the licence of a public place of amusement; and, whether he is prepared, on behalf of the Government, to pay the damages ensuing from his interference? said, that he learned from the right hon. Gentleman that he had been misinformed, and that he had not, in fact, interfered with the performance of the Zulus at the St. James's Hall. His informant, a Member of that House, had made a mistake. He had to express his regret for having placed the Question on the Paper, and he now begged to withdraw it.

MR. ASSHETON CROSS: I have put the whole of the facts before the Directors, and I understand that the exhibition will take place.

EGYPT—NUBAR PASHA.

QUESTION.

MR. E. JENKINS asked the Under Secretary of State for Foreign Affairs, Whether the Government has yet received any information as to the notice conveyed to Nubar Pasha, by order of Tewfik Pasha, that he would not be allowed to return to Egypt?

MR. BOURKE: No, Sir; we have received no information on the subject.

CYPRUS—PUBLIC WORKS RETURN.

QUESTION.

MR. H. SAMUELSON asked the Under Secretary of State for Foreign Affairs, When the return of the names, nature, and place of employment and salaries of Englishmen employed in Cyprus, and of all public works commenced or authorised up to January 1st 1879 in that island, with their estimated cost, ordered by the House on the 14th of February last, will be presented to the House; and, if he will explain the reason of the delay in presenting it?

MR. BOURKE, in reply, said, he was sorry he could not state the reasons why the Return had not been presented. It should have been presented, no doubt, before now. He sent to Cyprus a few days after the Return was ordered by the House for the information necessary to complete it; but the information had not been sent. The only cause which he could suggest for the delay was the change in the Government of Cyprus; but he would inquire into the subject.

ARMY DISCIPLINE AND REGULATION BILL—CORPORAL PUNISHMENT.

QUESTION.

SIR ARTHUR HAYTER asked the Secretary of State for War, Whether it is not proposed in the Army Discipline and Regulation Bill to include officers, non-commissioned officers, and soldiers alike in the liability to corporal punishment for offences in the field now punishable with death, inasmuch as the heading of the Clauses defining the offences so punishable is in all cases "Every person subject to military law?"

COLONEL STANLEY: No; that is not exactly the case, because every person subject to military law in the clauses specified is liable to the punishment of death, or such minor punishment as may be inflicted. The punishment of death is common to the officers and soldiers; but as regards the other punishments allotted either to the officer or soldier, they will be found by my hon. and gallant Friend in Clause 44.

PARLIAMENTARY ELECTIONS AND CORRUPT PRACTICES BILL—LEGISLATION.—QUESTIONS.

MR. B. SAMUELSON asked Mr. Chancellor of the Exchequer, Whether, before this Parliament is dissolved, the Amendments deemed by the Government to be necessary in the Parliamentary Elections and Corrupt Practices Bill will be proceeded with; and, whether the right hon. Gentleman proposes to proceed with the Bill during the present Session? He also wished to know, whether the right hon. Gentleman is now able to state what will be done with respect to the Railway Commission?

THE CHANCELLOR OF THE EXCHEQUER: With regard to the first Question of the hon. Gentleman, undoubtedly the Government are of opinion that the Parliamentary Elections and Corrupt Practices Bill should be fully considered by the House and settled before a Dissolution. Whether it will be possible to proceed with it during the present Session I am very uncertain; but I am afraid not. It is among those Bills which we have not taken off the Paper, though I do not think it is likely we shall find time for it. With regard to the Railway Commission, I am not able to answer the Question at present.

SUPREME COURT OF JUDICATURE OFFICERS BILL—SALARIES.

QUESTION.

DR. KENEALY asked Mr. Attorney General, Whether it is intended by a clause in the Supreme Court of Judicature Officers Bill to increase the salaries of sinecure officers, the Judges' associates, from £1,000 to £1,500 a-year?

THE ATTORNEY GENERAL (Sir JOHN HOLKER), in reply, said, that the offices of Judges' associates were not sinecures. If the Bill passed into law, the salaries of the associates would be increased to £1,500 in the course of three years.

DR. KENEALY gave Notice that he should oppose in every possible way the further progress of that Bill.

ORDER OF THE DAY.

ARMY DISCIPLINE AND REGULATION BILL.—[BILL 88.]

(*Mr. Secretary Stanley, Mr. Secretary Cross, Mr. William Henry Smith, The Judge Advocate General.*)

COMMITTEE. [*Progress 14th July.*]

Bill *considered* in Committee.

(In the Committee.)

SIR GEORGE CAMPBELL said, that hitherto he had taken no part whatever in the discussions regarding flogging in the Army, not because he did not take a great interest in the subject, but because he felt great difficulty as to the course which he ought to take. He felt that difficulty still. Her Majesty's Government seemed to him to be afraid to pledge themselves to the complete abolition of the punishment. Although they had, so to speak, narrowed the flogging to a minimum, they were not prepared to abolish it altogether. He had placed upon the Paper an Amendment in the nature of a compromise—a compromise which reduced the liability to punishment—and he was not without that Her Majesty's Government would give a favourable consideration to that view of the case. He had had considerable opportunities of watching the matter. Those who had a greater personal acquaintance with the subject than he had himself were in favour of retaining the punishment. Officers in the Army, who were engaged on active service, were almost unanimous in deprecating the abolition of flogging. They said that the British Army could not be managed without it. At the same time, when he had seen the pertinacity with which Doctors of Medicine and Professors of Theology stuck to the dogmas of their own Profession, he did not think that the opinion of military men should be regarded as conclusive on the subject. It must be borne in mind that flogging had been got rid of in regard to foreign Armies. In the Indian Army, the Sepoys had the same dislike to being flogged that most European soldiers had; and, as a matter of fact, the punishment of flogging was retained in the Indian Army, not so much to be used, but because it was felt to be a scandal to retain it against the European soldier and do away with it in regard to his black brother. So far as his own experience went, it had not induced him to believe, in any great extent, in the necessity for flogging. His experience had been in connection with comparatively seasoned troops, who had gone through the absolute work of war, and not with mere raw recruits. He had seen Her Majesty's troops under very trying circumstances, in the campaigns which followed the Indian Mutiny; and, on the whole, his experience was highly favourable to the discipline of the regular soldier in Her Majesty's British Army. Seasoned troops were trained and disciplined to such an extent that, so long as those in authority over them did what they could to keep them in order, most of them were not likely to commit excesses requiring such a punishment as the lash. He might instance the 9th Lancers, at one time commanded by his late gallant friend Sir Hope Grant. In that regiment, they would as soon have thought of flogging the men as of flogging Members of that House. As regarded the great majority of Her Majesty's troops, they were men of good character, and were not liable to fall into excesses such as it was considered necessary to meet by the barbarous punishment of the lash. When they did break out into excesses, his opinion was that it was more the fault of those in authority than of the men themselves. Properly commanded, and restrained by officers in authority over them, they would not require this barbarous punishment. But, on the other hand, it had been felt, almost by every man who had had any experience of the British Army, that that Army differed from Continental Armies in this—that it contained within its ranks a class of men much more difficult to deal with than was to be found in Continental Armies. The British rough was, no doubt, a worse character than was to be found in any

Continental country; and when they had the British rough in the British Army it was found necessary to treat him as a rough, or to let him go away altogether. They were in this dilemma —that when they had men of this character made into soldiers, and rebelling against discipline, they must either bring them into submission, or say—"You have made yourself so disagreeable that you may go." The opinion was that the only remedy for this state of things was having recourse to the punishment of flogging. It had been his duty to control the administration of punishments of this kind among great populations; and he had been compelled, if he might so express it, to study the subject. The result of that study was certainly not favourable to the punishment of flogging. Without speaking from the popular point of view, but looking at the question in a scientific point of view, flogging partook of the nature of torture. Speaking also in a scientific point of view, he was not altogether against torture as a punishment; but of all the forms of torture used for the punishment of crime, the punishment of flogging was the very worst, because it was the most uncertain in its effects, and for this reason—because the effect of the punishment of flogging upon any man must depend enormously upon the character of the flogger, and also upon that of the floggee. He was prepared to assert, from practical experience, that an enormous amount of the effect of the punishment depended on the man who laid it on. They might have a man who would lay it on in such a manner as to make it a severe punishment indeed; while, in another case, it might be so laid on as to make it no punishment at all. It was not always that the mere observer could detect the punishment that was severe from the punishment that was trifling. They might have a man who laid on the punishment with a great deal of fuss and fury, and yet did not make it tell; and, on the other hand, they might have a scientific flogger, who would make every cut tell. Then, as regarded the physical effect, he had seen some men who would stand an immense amount of flogging, and scarcely feel it; whereas there were others to whom it was an exceedingly severe punishment; so that a flogging which would nearly kill one man, was really laughed at by another. On the othe hand, in a moral point of view, they had many men who did not care for that sort of thing. To come to the practical part of the matter. What he wished to ask the Committee to bear in mind was this—they had now gone so far in the matter that they could not, in future, make use of that heavy amount of flogging, which made it a severe and almost barbarous form of punishment, for the punishment of great offences. It was totally impossible that they could ever return to the very severe form of the punishment of flogging in use in days not very far removed. They had now limited flogging to 25 lashes; and he was also inclined to think that the instrument with which it was to be inflicted was a much more harmless instrument than it was in olden times. They had been discussing the question of flogging in the Army; but he did not think an Army cat had been produced for their inspection. They had had a Navy cat. He had himself inspected the last specimen of the Navy cat sanctioned by the First Lord of the Admiralty—and he found that it was very much what he should have expected from the amiable character of the First Lord. It was of a somewhat soft and flexible nature. Indeed, if it were necessary that he (Sir George Campbell) should undergo a flogging he should scarcely object to be flogged with it himself. The moral he wished to draw from all this was this—in the course of the discussion the hon. Member for Bedford (Mr. Whitbread), a Member very much respected by the whole of the House, threw out a suggestion that the punishment of flogging should only be inflicted as an alternative for the penalty of death. He (Sir George Campbell) observed, from the nodding of heads on the other side, that that suggestion was received with some favour by the right hon. Gentleman the Home Secretary and other Members of Her Majesty's Front Bench; and what he wanted to impress on the Committee, as the result of his practical experience, was that this mild punishment of 25 lashes, inflicted with a comparatively harmless cat, would be an utter farce, and altogether ridiculous as a punishment for heinous offences. He gathered that they wanted to apply the punishment of flogging for minor offences committed on active service—such as plundering on the march, breaking into a hen-roost, or entering a vineyard, where they required a short, sharp, and exemplary punishment. The advice, then, which he wished to submit to Her Majesty's Government was that they should make up their minds either to retain the punishment of flogging for petty offences on active service, or to get rid of it altogether, and to wipe out what, to a certain extent, would be a thorn in their side if it was retained. He, for one, was in favour of trying the effect of abolishing the punishment of flogging altogether; but, considering that the compromise of retaining it for heinous offences was not possible, he proposed to submit, by the Amendment which he had placed on the Paper, another compromise, and that was that they should put the matter on this footing —that a new or a good man, on entering the Army, should not feel that there was, from day to day, hanging over him, if he got into a scrape for some little peccadillo, arising out of the excitement of the moment, the apprehension that he might have rendered himself liable to the punishment of flogging, and to feel disgraced for ever after. He wished the Committee to save the really good and respectable soldier from that painful position; and he firmly believed that the fear of incurring this degrading punishment deterred a good many eligible and valuable men from entering the Army. The punishment, if it was to be inflicted at all, should be reserved for those who had already, by their acts and deeds, been stigmatized as dangerous characters, who had been selected and set apart as bad men. In regard to that class only, he proposed that the punishment of flogging should, in future, be inflicted. It seemed to him that there was a very good reason why this proposal should receive favourable consideration, for at the present moment it was actually the rule in the Navy. In the Navy it was only men who had been degraded to the second class that were liable to be punished by flogging. First-class men were not liable to be flogged at all. This was actually the rule for some time in the Army, and he did not know how it came to be abolished. Therefore, his proposition was merely to apply to the Army a rule which was once the rule in the Army, and a rule which was now actually the rule in the Navy. The effect of his Amendment would be that no man would be liable to be flogged who had not previously been convicted of a disgraceful offence; and out of 1,000 or 100 men who were now liable to be subjected to that punishment there would, perhaps, not be one who would be liable to be flogged. This compromise would reduce the liability to flogging to an absolute minimum; and in that sense he hoped that those who objected to the punishment, and yet did not regard it as practicable to get rid of the cat altogether, would accept the compromise he suggested. The Amendment which he had placed upon the Paper, and which he now begged to move, was as follows:—In page 19, after Clause 44, to insert the following clause—

(Limitation of corporal punishment.)

"Any soldier convicted by court martial, in addition to any other punishment, may be declared by the court to be a bad and insubordinate soldier; and such soldier shall be entered on a list, to be called 'the bad list,' during and for a period of one year after the currency of his sentence, unless the competent authority shall remit any portion of that period. No soldier shall be sentenced to corporal punishment who is not on the bad list previous to and at the time of his conviction."

What he proposed was, that when the conduct and character of a soldier was bad—that when he had not only been guilty of a particular crime, but was declared to be a man of bad and insubordinate character—the sentence that rendered him liable in future to corporal punishment should be passed. He did not propose that a man should remain on the bad list for a long time; but that the sentence should only have effect for one year after the currency of the sentence; and that a competent authority should have the power of remitting it at any time. The proposal provided that no good soldie should be liable to corporal punishment. The effect would be that in the Army no man of good character would be liable to be flogged; but if a man had committed a crime, and was declared to be of such character that he should be put on the bad list, then, in the event of his afterwards committing certain crimes, he should be liable to be flogged. He was of opinion that by consenting to a compromise of that nature the Committee would retain everything that was necessary; while, at the same time, good, decent, and respectable soldiers would not incur the risk of being subjected to this disgraceful punishment.

THE MARQUESS OF HARTINGTON: I do not rise, Sir, for the purpose of detaining the Committee at any length in respect of the new clause which has just been moved by my hon. Friend. As to that clause, I entertain very considerable doubts whether the compromise he puts forward is one that would receive the sanction of either the opponents or the advocates of corporal punishment in the Army. I am afraid it would be altogether unsatisfactory to those hon. Members who desire to see the total abolition of corporal punishment, and I hardly think it would be satisfactory to many of its advocates, because it appears to me to diminish, in a very serious extent, the summary, swift and sharp application of the punishment which was felt to be of so much importance. I have no doubt as to the fair and conciliatory spirit in which the clause has been brought forward by my hon. Friend; and I have no doubt, if hon. Members who have more authority and knowledge on the subject than I have receive it with more favour than I think they are likely to do, the Committee will be disposed to give it very careful consideration. But I rise principally for the purpose of taking this, the first, opportunity that seems to me a convenient one for making a few observations on the position this question has assumed, and which has been greatly modified since the Committee first engaged in any regular discussion of the subject of corporal punishment. The Committee is very well aware that I, and many of my Friends on this Bench, have given our support to the Government and to this Bill, not only on general grounds, but also as regards the provisions which relate to corporal punishment. I have myself voted with them on several occasions; and my hon. and learned Friend the Member for Oxford (Sir William Harcourt) has given Her Majesty's Government a considerable amount of assistance in the conduct of the Bill. Under these circumstances, I think I am entitled to say a word in regard to the provisions of the Bill which affects the question of corporal punishment. Hitherto, I have supported the proposals of the Government, and I have done so on this ground. I and my Friends have given our support to the clause affecting corporal punishment on this one, and only, ground—that the discipline of the Army is a paramount consideration. I think we are pretty well agreed that the matter is one of the maintenance of discipline, and that there is no question of humanity involved in it. Her Majesty's Government have disclaimed, with perfect sincerity, any imputation of being less actuated by feelings of humanity than the most determined opponents of corporal punishment. There is one reason, and one reason only, that can induce any Member of this House to advocate the retention of corporal punishment—and that reason is that, in the opinion of the authorities who are responsible for the discipline of the Army, and in the opinion of the Government, who are responsible to the Army, that punishment is indispensable to the maintenance of discipline. Well, now, I am obliged to confess that what has taken place in the Committee has led me very much to entertain a very serious doubt whether the Government have really that clear, fixed, and firm conviction of the absolute indispensable necessity of that punishment which will justify Parliament in continuing it. In order to examine this question, I ask the Committee what has been the course which the Government have taken? The Bill was brought in to provide for the continuation of corporal punishment. It provided that corporal punishment should be inflicted for a large number of offences for which it had been before inflicted. After two or three days' discussion the Government came to the conclusion, on further consideration, that it was unnecessary to retain this punishment for the very large number of offences for which the Bill was originally introduced to provide. They made several concessions. In the first place, they agreed to insert in a Schedule a list of offences for which only corporal punishment should be inflicted. They then consented to a considerable reduction of the amount of the punishment which might be inflicted. Then there were other matters which claimed the attention of the Committee. The Government, I am sorry to say, in the discussion which arose as to the instrument by which this punishment was to be inflicted, showed a very considerable and unfortunate ignorance in regard to the circumstances under which the punishment was inflicted. I then come to the proceedings of Saturday week last. On that morning, as the Committee will remember, the right hon. and gallant Gentleman the Secretary of State for War came down to the Committee and stated that very shortly he would be able to make an announcement of the intentions of the Government which he trusted would be satisfactory to the House. A discussion immediately arose on this subject, and various interpretations were placed on that declaration of the Government. A very general opinion was expressed—not on one side of the House only—that the announcement made by the right hon. and gallant Gentleman implied that the Government were prepared to re-consider the whole subject; and by many it was believed that the Government intended to announce the abandonment altogether of this punishment. I do not mean to go over the discussions which have since taken place. A great deal was said as to the exact terms of the information conveyed by the Secretary of State for War; but, in my opinion, a more important declaration was made by the Chancellor of the Exchequer. I hold in my hand an extract from the speech of that right hon. Gentleman, which, as far as I know, is correct. It is so important, that I hope the Committee will allow me to read what the right hon. Gentleman said. The Chancellor of the Exchequer said—

> "It was always a matter of great difficulty how they were best to restrain these outrages: and they had to consider whether corporal punishment was absolutely and essentially necessary for that purpose. Similarly, in the case of prisons, they had to consider the question of how discipline was to be maintained; and if they had to subordinate the first emotions of humanity to other considerations in the course of these discussions, the Government had been obliged to maintain and assert a stricter and severer view than that suggested by those who were merely actuated by the first emotions of humanity. His right hon. Friend the Secretary of State for the Home Department, however, had now declared that they were prepared to consider this question as a whole; and his right hon. and gallant Friend the Secretary of State for War had stated that he would be prepared, at a subsequent stage of the Bill, to make a statement to the Committee as to the views of the Government on this matter."—[3 *Hansard*, ccxlvii. 1573.]

Now, it seems to me it would hardly be too much to say that the effect of that statement was to produce an impression that the mere announcement, on the part of the Government, of such an intention in Parliamentary language meant that they were prepared altogether to abandon the punishment. ["No!"] Supposing that the Government had arrived at that decision and intended to communicate it to the House on a future occasion, that was the Parliamentary language that would be employed for preparing the mind of the House for the announcement. I do not wish to give more importance to that statement than it will fairly bear; but the very least that can be said of it is that, in the opinion of the Government, on that Saturday morning, the subject was one which was open to complete re-consideration as a whole; that, in fact, it was for them, as well as for the Committee, an open question, and it was open for them as well as for the Committee to arrive at entirely opposite conclusions from those which had guided them up to that time. This is a very important question—on which I think it would be well that the Government gave a clear and not uncertain voice. It has been mentioned—and mentioned by persons who ought to have some knowledge of the subject—that this is, in fact, practically the decision at which the Government had themselves arrived—namely, that the punishment might be abandoned, and that they would not meet with any determined opposition from the military authorities in that abandonment. ["No!"] I am only repeating what has been remarked in other quarters, with some little appearance of authority; and I invite the Government, if it is not the fact, to take an early opportunity of giving it an explicit contradiction. Well, it is further said that the decision at which they arrived on Monday was not in consequence of any determined opposition on the part of the military authorities, but that it was in consequence of some feeling which it was perfectly well known took place in the Lobby of the House on Saturday and Monday week. It was also said that the decision announced was not that of the Government themselves, but a decision forced upon them by a certain section of their supporters. It then became the duty of the Opposition, seeing that the Government were re-considering their position, to re-consider theirs also. On Monday morning week, on consulting with several of my Friends who sit near me, I came to the conclusion which I announced to them at the time, and which I should have been perfectly ready to announce to the House the same evening, if there had been any legitimate opportunity of doing so. The conclusion I arrived at was that whatever might be the decision announced by the Government on that evening, their conduct in regard to the Bill, the hesitation which they had shown, and the effect of their announcement on Saturday, was that they had no such clear conviction in their own minds of the absolute indispensable necessity of the retention of this punishment as would enable the House, or the Opposition portion, at all events, of the House, to continue to them the support which on that ground, and that ground only, had hitherto been given to them. I formed the opinion that, under these circumstances, the condition, and the only condition, essential to the permanent retention of this punishment had disappeared, except, perhaps, that there might still be pointed out very exceptional circumstances. I will now endeavour to explain to the Committee what I mean when I say that I think an exception to what I have stated might be made under exceptional and very limited circumstances. I think that the opponents of corporal punishment have been, to a very considerable extent, pressed by the argument, frequently used in the course of the debates on this Bill, that there are on active service certain occasions when particular crimes and offences are committed—such as insubordination in the field, or plundering on the line of march, or serious offences of that kind—where there is no alternative for the military authorities between corporal punishment and the extreme penalty of death. The opponents of corporal punishment have been somewhat pressed by that argument; and I presume that it was in that sense that my hon. and learned Friend the Member for Stockport (Mr. Hopwood) had placed on the Paper an Amendment, which has since been withdrawn, in which he proposed that corporal punishment should still be maintained, but only as the commutation of a death penalty. The clause which my hon. and learned Friend placed on the Paper was in these terms—

> "The authority having power under this Act to commute or mitigate any punishment may, without prejudice to any other power of commutation or mitigation conferred on such authority by this Act, commute a sentence of death into one of corporal punishment to be inflicted in accordance with the provisions of this Act; but corporal punishment shall in no other case be inflicted."

It seems to me to be clear, from the nature of the announcement made by the Government on Saturday week, that something of the kind was in their minds at that time. I am quite aware that there are many difficulties which may be brought forward by way of objections to this proposal. The most obvious of these difficulties is that it might happen that a court martial might pass a sentence of death without any intention that the punishment of death should be inflicted, but intending only that corporal punishment should be inflicted in its stead. The commanding officer, however, might think the offence deserving of death, and so the death penalty might be inflicted contrary to the intention of the court martial. I do not pretend to say that this difficulty is an insuperable one or not. It has been suggested that the difficulty might, to some extent, if not altogether, be obviated by a proceeding which certainly is not now a very common one, but for which there is a very ample precedent. I believe that, in many cases, it has been found expedient to preface a clause of a Bill by a Preamble, by which the intention of Parliament could be made perfectly clear. The objections which might be raised in this instance would be very much obviated if the clause which I have read were prefaced by a Preamble to the following effect:—

> "Whereas it is expedient that corporal punishment should no longer be in use except in cases where the punishment of death would be actually inflicted, unless corporal punishment were inflicted in lieu thereof, be it further enacted,"

and so on. I throw out this suggestion for the consideration of the Government. I believe that, if the Government would adopt a Preamble of this character, the intention of Parliament in the clause would be so clearly explained that the difficulty to which I have adverted would be obviated, and the sentence of death would not be passed by a court martial, unless they thought that the crime was one worthy of death; while the power of commutation of the sentence to corporal punishment would be left to the commanding officer. If the Government think that the difficulties in the way of such a course are insuperable, and if they are resolved to retain the punishment of flogging for the numerous offences that are now comprehended in the Schedule to be proposed by the right hon. and gallant Gentleman the Secretary of State for War, and that no other limitation than the judgment and opinion of courts martial and the commanding officers can be adopted, then I am of opinion that, under the circumstances I have endeavoured to describe, the further retention of this punishment is impossible, and, it being impossible, the sooner it is altogether abolished the better. I need not detain the Committee by pointing to the injury which is done to the discipline of the Army by protracted discussions; I need not point out the injury done to recruiting, especially among the better class of men, unless some satisfactory arrangement is arrived at and continued from year to year. I have only now to say that if the Government do not see their way to adopt some such Amendment as I have suggested—an Amendment which, in my opinion, would meet with a good deal of support on both sides of the House—I shall have no alternative than to give effect to my opinion by my vote, either in Committee or on the Report of the Bill, or whenever an opportunity arises. I need hardly add that, whatever may be the decision of the Committee, after full and thorough consideration, I, at all events, shall be prepared to abide by it. I have no intention of being a party to any proceeding the object of which is simply to delay the progress of the Bill; and I do not promise to lend my assistance to any attempt to get rid by a side issue of what may be proved to be the deliberate decision of the Committee itself on the main question. I have no doubt that the hon. Member for Meath (Mr. Parnell) will claim, as an additional proof of the success of the system which he explained last night, the announcement I have just made on the part of myself and Friends. I should be extremely unwilling to deprive the hon. Member of any credit justly due to him; but I must say that, for the reasons I have endeavoured to explain, the greater part of the responsibility of the course I and my Friends think it necessary to take on this occasion must rest upon the shoulders of the Government themselves, owing to the policy they have thought proper to pursue, rather than upon the shoulders of the hon. Member for Meath. I am willing to admit, to the very fullest extent, the responsibility which rests on the Opposition—a responsibility only second to that which rests on the Government themselves—to support, to the utmost extent, the military authorities in everything that may be necessary for the maintenance of the discipline of the Army. But when, as I think, it is proved, by the course the Government have taken, that they have no clear conviction themselves as to the indispensable necessity of the retention of flogging, I do not see that any obligation rests on the Opposition to support them in a course which appears to me to have been dictated to them, not entirely on their own responsibility and judgment, but by the opinions of a certain section of their own supporters. I must apologize for detaining the Committee at this length; but I thought that time would be saved by my stating, at the earliest possible moment, the opinion which I had formed and which I had hoped to be able to announce to the House more than a week ago.

Colonel STANLEY: I think that no one, however captious he may be, can complain that the noble Lord has occupied the Committee a moment too long in stating, so frankly as he has done, the views which he holds on this important question. The noble Lord really went to the root of the whole matter in saying that he felt, with other Members of the Committee, that in a matter of this kind the paramount consideration was that of maintaining the discipline of the Army. Following up that statement, he asked whether, in the opinion of the Government, it was considered indispensable, for the purpose of discipline, that corporal punishment should be continued? To that I have to answer that we have carefully considered the subject, and we find ourselves compelled to adhere to the maintenance of corporal punishment in the shape in which it now stands in the Bill; that that decision has been arrived at after great consideration; and that the decision, so far as I and other Members of the Government are concerned, is one from which we cannot depart. Now, the noble Lord has said that much time might have been saved if the Government had taken up a more definite line on this matter. No doubt, in the conduct of this great Bill, a heavy responsibility rested upon those who had to do with it; but, at the same time, we have, in the alterations we have made, so far as relates to the actual matter now under discussion—alterations which the noble Lord chooses to call concessions—endeavoured to meet all objections which might be more or less fairly raised, and to show ourselves, as far as possible, willing to accept that which might appear to be the general feeling of both sides of the House. The noble Lord has referred to the recital of certain crimes in the Schedule. I do not wish to quarrel about the terms; but the object I had in assenting to provide such a Schedule was very much to assist the Committee, by showing, as clearly as possible in the Bill, for what crimes corporal punishment should be inflicted. With regard to the amount of punishment—from 50 lashes to 25—that is a matter which has been so recently before the Committee, that it would not be very convenient that I should re-introduce it. Now, we come to the point upon which the noble Lord attaches considerable importance—namely, the statement which I made some 10 days ago. That statement the noble Lord quotes correctly—namely, that in respect to corporal punishment I had been considering the Schedule, and I hoped on the following Monday—that was, yesterday week—to make a statement to the House which I hoped would be satisfactory. Unfortunately, however, the noble Lord hardly did me justice in saying that I had carefully guarded myself, both at that time and afterwards, from any interpretation which persons, in whatever good faith, might choose, looking at the matter from their own point of view, to put upon my words. Then comment was made on the statement of my right hon. Friend the Chancellor of the Exchequer, that the Government were considering the question as a whole. I am perfectly prepared to substantiate and adopt the statement of my right hon. Friend. In point of fact, we agreed to place certain crimes in the Schedule; and when we came to select the crimes which appeared the most convenient to place in the Schedule, we considered that the sound principle to go upon was to point out certain crimes which, in military opinion, and as the result of long experience, have been deemed of so serious a character as to be deserving of the punishment of death, but to which corporal punishment might be attached as an alternative. Now, what is there inconsistent in that? To put aside the question of humanity, I may say that all along our contention has been that discipline must be maintained on active service, with the Forces which we have, by means, in some cases, of sharp and summary punishment. In that respect I maintain, without fear of contradiction, that, in the course we have adopted, we are only following out what has hitherto been the custom in the Service; and, moreover, that the custom of the Service has admitted, in times past, of corporal punishment becoming a substitute for the punishment of death which obtains for like offences in foreign Armies. Then, with respect to that point, surely there is nothing in the slightest degree inconsistent in our having said that we should consider the question as a whole; and in saying that, resting ourselves on principle, there were certain crimes to which the penalty of death pertained, but as to some of which—those which were not of the gravest nature—corporal punishment might well be substituted for that of death. Then I come to the question, who are responsible for the retention of this punishment? It may be said—opinions may be expressed here and there—opinions of individual persons—that the Government are responsible for that which has occurred. Her Majesty's Government are responsible for that which they have proposed, and it is upon the authority of the Government that the Schedule has been laid upon the Table. I do not wish to take up the time of the Committee further than upon the general question; and after what I have said at length on former occasions, I should be unnecessarily taking up the time of the Committee if I were now to express myself more fully on the subject. Coming, however, to the suggestion which was thrown out by the noble Lord as regarded the clause placed on the Paper by the hon. and learned Member for Stockport (Mr. Hopwood), which was to this effect—that corporal punishment should only be inflicted as a commutation of the death penalty—I am bound to say that the noble Lord seemed to speak under a sense of the difficulty which would occur in many cases if these words were inserted in an Act of Parliament. In the first place, there is the obvious objection that they might occasion the passing of a sentence of death in many cases in which the officers composing the court would think and hope the sentence would not be carried out, and thus you would be placing an enormous responsibility upon the officer called upon to commute the punishment. I can easily understand that circumstances might arise in which the court, intending the prisoner to be flogged for some serious dereliction of military duty, would sentence the prisoner to death, but in which the confirming officer might conscientiously feel himself precluded from commuting the punishment. I do not hesitate to say that there are circumstances present to my mind which might cause—which certainly would cause—an increase in death sentences; in all probability, there would be an actual increase in the number of cases in which the penalty of death would be inflicted. That, I think, is the answer I am bound to give to the noble Lord with reference to the clause which originally stood in the name of the hon. and learned Member for Stockport. As regards another suggestion—the addition of a Preamble to recite that the punishment should be considered as a severe one, and only substituted in place of the death penalty there—after carefully considering the suggestion—as I would any suggestion coming from the noble Lord—I confess I find considerable objection; and, on the whole, my disposition at the moment is not in favour of its acceptance. In the first place, the cases where actual corporal punishment can be inflicted are distinctly specified in the Schedule, and not in the body of the clause; and I can find no precedent for a Preamble to a Schedule, though I am far from saying occasion might not arise for the creation of a precedent.

The Marquess of HARTINGTON explained that the Preamble he suggested would be to the clause proposed by the hon. and learned Member for Stockport.

Colonel STANLEY: Oh, quite so. But, after all, suppose you inserted that Preamble, what practical object would you gain? I hope I shall not be understood as saying it offensively; but it would be only a salve to the consciences of those who would see the necessity of retaining the punishment, and yet would wish to record their objections to it. What object would be gained? Would it be a direction to the Court? To what degree could it possibly affect the circumstances or consideration of any crime which is the subject-matter of these clauses? I have only to say we have once more carefully considered the matter; and we think that the commutation of the punishment to corporal punishment for those crimes for which death can now be inflicted is distinctly a principle in accordance with the views Members on both sides of the House have expressed—namely, that the retention of this punishment is, on the whole, humane in its operation. I have considered the matter in that light. I have considered how far I could go in the direction of the general feeling against the infliction of the punishment; I have considered the circumstances in which the Forces would find themselves from time to time engaged; and I have obtained expression of opinion from those most conversant with the conditions of active service; and I have felt bound to place this Schedule on the Table, containing, as it does, a final record of the opinion of Her Majesty's Government upon the matter: and I am bound to state to the Committee that, as far as in us lies, to the conditions of that Schedule we must adhere.

Colonel MURE said, he had not had the advantage of hearing the speech of the noble Lord; but he understood he had proposed the addition of a Preamble to the Amendment of the hon. and learned Member for Stockport (Mr. Hopwood). The noble Lord had spoken of the concessions made by the Government, and, no doubt, they had been many; but long experience in the same country where the campaign was now going on had shown him quite clearly that the acceptation of the limitations of flogging to those crimes mentioned in the Schedule would have the effect of reducing the cases to which the punishment of flogging might be applied so rare and exceptional as to make the flogging clause almost nugatory. If hon. Members had studied the Schedules they would see that the greatest number of crimes there mentioned were crimes that could not possibly arise in South Africa, or were not likely to take place among the troops in Zululand. There were one or two cases under the Schedule where flogging might take the place of the death penalty—for instance, a sentry being asleep or drunk at his post, or leaving his post without being regularly relieved; but these were hardly cases in which summary punishment was specially necessary. As a general rule, the punishment was necessary soon after the troops were landed in a foreign country, more especially a savage country like South Africa. When the regiments were landed from shipboard there was usually some laxity of discipline, and more particularly in hot countries, where marching was very fatiguing and temptations to drinking were almost irresistible; but he was bound to say that if the Bill passed with its present limitations, and if the war was going on at the time when the Bill passed, then, practically speaking, flogging would be done away with in South Africa. Therefore, he asked, would the Government not find themselves in rather a strange position, after having expressed their view that it was necessary, for the discipline of the Army, to maintain the punishment, if further experience showed that they had, practically, abolished flogging even in the field, and under the most pressing emergency? But there was another consideration very strong to his mind, and which he feared must affect the discipline of the Army. We did not enlist a better class of recruits; but those we did enlist had better education than was formerly the case, and these very discussions must have a very bad effect upon the discipline of our troops in Zululand. There was good authority for saying that at least 200 men had been flogged during the campaign. All these discussions the men would read carefully in the newspapers arriving in the Colony, and the debate upon flogging in the House would be the subject of discussion among the men. Owing to the short-service system there was not now the same strict discipline in the Army that there used to be. Our young recruits were no longer mixed with old soldiers confirmed in soldierlike habits, who used to laugh and sneer at discussions about flogging, but were filled with young men and young non-commissioned officers, who were a great deal better educated than their predecessors, and who made the debates upon flogging a constant source of discussion. Every man in Zululand, who had been tried and flogged, knew that a very considerable section of the House of Commons, and perhaps of the public, were disputing the right of officers to punish the rank and file in a certain way, and every soldier who was flogged was looked upon by his associates as more or less of a martyr. He had remarked, in the course of his experience, that officers hated this practice of flogging; and he was bound to say, as a general rule, that those officers who had witnessed the punishment hated it the most; and that those officers who had never been through a campaign, never seen flogging—amateurs, as he might call them — were the sternest disciplinarians, and most anxious to retain flogging in the Army. Experience showed that when a case of this sort came before the House of Commons, and there became, in some sort, a Party question, and from a Party question became a popular question, then they might be certain its knell had sounded. He believed the days of flogging were numbered, and that they ought, free from all recriminations among themselves, to look fairly at the question, and see if offences could not be met with other means of summary punishment. He should like very much to know—with all the facts in view, with these discussions day by day, and the probability of this being made a Party question at the next Election ["Oh, oh!"] — he wished to be understood as deprecating any agitation on the subject out-of-doors—he deprecated the use of this as a Party cry—and if he had anything to do with a Party contest he should allow no words to escape his lips calculated to influence Party feeling—he would like to know whether the military authorities had been consulted as to the effect of the abolition of flogging in South Africa; whether, on the whole, they did not prefer to face any difficulty that might accrue to discipline in the field, to the certain prejudice to discipline which would arise from punishment in the Army being made—as it would be made—a Party question? He would also like to ask the Secretary of State for War whether there was not a time when there was an inclination on the part of Her Majesty's Government to give up flogging altogether? But that their decision not to yield to this inclination was due to the determined attitude of some of their supporters, who had "put their foot down," not in the interests of the Army—not entirely in the interests of discipline—but because the exigencies of Party required it. Having had some experience in this matter he could foresee—and was quite ready to admit—the great difficulties that would arise in the field if flogging were done away with. He knew perfectly well the difficulty of a commander brought face to face with this position in a savage country like Zululand, with only one form of summary punishment to resort to—the dreadful punishment of death. Over and over again it had been reiterated that prisons could be carried about with the Army. At the same time, it must be admitted that in civilized countries, like France and Germany, this difficulty was not so great; but in a country like Zululand, where they could not leave men behind on the line of march, where they must carry all their people with them, he admitted that great difficulty would arise from the restriction to one form of punishment; but, still, he preferred that our commanders should face the difficulty, rather than that discipline generally should be undermined by a popular agitation. Over and over again he had pointed out to the Secretary of State for War the great hardship it was to the good men in the Army that so large a proportion of men of bad character were admitted into the ranks. Every year as many as 2,000 men of admittedly bad character were passed into the Army. Not long ago the following case came under his observation:—He was present at one of our recruiting depôts when a young man who wished to enlist presented himself; the recruiting officer noticed how very short his hair was, and asked the reason. "Oh, Sir," was the reply, "I have just come out of prison." Well, having fulfilled the requirements as to health and size, that man was passed into the ranks without further inquiry. That was the way recruiting was conducted, and 2,000 of such men were admitted into the Army every year. The Committee must understand that when a soldier was spoken of as a bad character, the term meant so utterly bad and disgraceful a fellow that it was almost impossible to train him, and so loathsome that he ought not to associate with others. And yet 2,000 of these were admitted into the British Army year by year; they went from regiment to regiment, contaminating their comrades; and it was due to the presence of these bad characters that it was difficult to maintain discipline in the field, and from this came the necessity for flogging. What would happen if flogging were done away with? There was no doubt in his mind that the consequence would be that during a campaign the people of this country would be horrified and distressed by hearing, from time to time, of men being shot as a punishment. No officer would countenance such a punishment, except under circumstances of dire necessity; but, whenever the news came of a young soldier being shot, a thrill of horror would run through every homestead in the country. As a result of this, people would begin to inquire what sort of men it was they enlisted into the Service; and finding there were so many of a bad character, there would follow the determination on the part of the people that facilities should be offered for obtaining a better class of men in the Army, and that the scandal of the system of enlisting the worst classes should cease. These were the views he wished to express; and, holding them, he had no hesitation in supporting the noble Lord.

COLONEL NORTH expressed his great astonishment at the speech of the hon. and gallant Member who had just sat down. He did not know whether it was the pressure of constituents, or the pressure of Party, that had been brought to bear on the hon. and gallant Member; but this he did know—that if there was a Member of the House with whom, more than another, he had spoken on the subject of flogging, it was the hon. and gallant Gentleman. He (Colonel North) could only say that a short time ago the hon. and gallant Member's opinion was that it was utterly impossible to maintain discipline in an Army in the field unless officers had the power to inflict corporal punishment. The hon. and gallant Gentleman had argued against himself. He had confined himself to the Zulu campaign, and he had shown it was impossible to take everybody about with the Army on the march. Then it followed that if they did not flog an offender he must be shot, and left behind. Another point was this—a man might commit some very grievous offence, but yet not such as would merit death. What, then, was to be done with him? The hon. and gallant Gentleman talked a good deal about the blackguards in the Army; and for a long time it had been the endeavour of all to improve the condition of the Army, and get into it men of a respectable class. But how was this to be done? A respectable man might have on either side of him soldiers of very bad character. They had no old soldiers and non-commissioned officers, and these last were the backbone of the Army; and those and the old soldiers maintained the *esprit de corps*. But, deprived of these, and deprived of the only means of keeping the blackguards in order, how was it possible for a commander to preserve discipline? He could only say he was lost in astonishment that the hon. and gallant Gentleman, with his experience, did not see the necessity of this.

MR. WALTER hoped the Committee would excuse him if he, as a civilian, said a few words on the subject now under consideration. He was one of those who hitherto had supported the punishment of flogging, though he was glad to find it had been limited in amount, so that, though still severe, it was comparatively small to what it was. The question was now presented to the country in a totally new aspect, and in an aspect in which it had never been presented to the country before—not as being in itself the best and most appropriate punishment which could be devised for any particular offence, but simply as a mitigation of a severer punishment — a substitution for the punishment of death. That circumstance, in itself, opened a new view of the question, and was worthy of the most serious discussion. He felt himself hardly competent to enter into it without much further consideration; but it presented an entirely new aspect of the punishment of flogging, and raised the question whether, supposing that punishment to be only a substitution or commutation for death, it was, in fact, the only possible substitute which could be adopted for that extreme penalty? This was not, however, exactly the point of view in which it most forcibly struck him at this moment. When they discussed this question among themselves, they were struck at once by the difference which existed between their Army and the great Armies on the Continent. They could not help being struck by the fact that, somehow or other, the penalty of flogging was known only in the British Army. It was unknown in the Army of France, which had achieved such wonderful military feats, and it was also unknown to the still greater Army of Germany, which had lately performed the greatest campaign which the world ever saw. They were told that the punishment of flogging must be retained because the materials of their Army were of a different character from the materials of the Armies of France and Germany. He did not wish to use an offensive or a disparaging expression in remarking that their Army was not recruited from a very high class of the population. Surely this question ought to present itself to them when they were taking this fact into account. They professed themselves unable to get on without this formidable punishment; but ought not this to suggest to them the imperative necessity of looking the greater question in the face, and of seeing whether the British nation could not place its Army on such a footing as would enable it to dispense with the punishment of flogging? For his own part, he believed that it could. At the present moment, whether from the plans of the late Government, or those who had carried those plans into effect, the Army was in a most miserable condition. There were two ways by which a great Army might be recruited. There was the mode in which foreign Armies were created—namely, by conscription. No one could suppose that in an Army thus created the punishment of flogging could exist for a week. Then there was another way, which, at one time, he confessed he hoped might have been adopted. It had always been his favourite scheme in opposition to that which was adopted by the late Government—namely, having a *corps d'élite* of 40,000 or 50,000 men, equal in character and in stature to the Metropolitan Police or to the army of railway servants. Such a corps would, man for man, be superior to any equal number of men they might have to encounter, and the Army might be recruited from the Militia, which would be made a really powerful Force. His belief was that in such a corps they would not have flogging any more than there was flogging in the Metropolitan Police. But with their miserable system of recruiting men—or, rather, boys of 17 years of age—whom nobody else would have, they were obliged to persist in a deplorable system of punishment repudiated by every other Army in the world. This was the view he took; and he hoped this discussion—without regard to quality, by far the gravest that had been raised in connection with the Mutiny Bill—would have the effect of turning the attention of the Government to the subject of the character of the men in the Army.

Mr. A. GATHORNE-HARDY ventured to think the hon. Gentleman (Mr. Walter) had begun at the wrong end. The hon. Gentleman had suggested that, by a better system, they might secure a better stamp of recruits, and possibly he was quite correct; but now the question was how to deal with the material they had got? It had been admitted, by the hon. and gallant Member for Renfrewshire (Colonel Mure), and by the hon. Member for Berkshire and others, that soldiers at present were not of the stamp it was hoped might some time be obtained; but, then, what was to be done to preserve discipline among the men they had? The hon. and gallant Gentleman the Member for Renfrewshire, having been called upon by the noble Lord (the Marquess of Hartington) to come forward and curse his enemies, had, like a second Balaam, ended by blessing them. With the exception of the beginning and the end, the speech of the hon. and gallant Member was a powerful argument in favour of retaining the punishment of flogging in the Army. He was obliged to admit that the abolition of the punishment would leave only the death penalty; and he decided that, under present circumstances, the more severe penalty would have to be inflicted in some, if not in many, cases. This was the great argument which, in listening to the speech of the hon. and learned Member for Oxford (Sir William Harcourt), most powerfully convinced him of the necessity of retaining the punishment. The hon. and gallant Gentleman had also alluded to the bad effect on the discipline of the men these discussions would have. With this remark, he (Mr. A. Gathorne Hardy) concurred; but it suggested itself to his mind why, if hon. Gentlemen thought that, did they carry on the discussions with such length and such persistency? With reference to the change of front on the part of the noble Lord and hon. Gentlemen opposite, he might remark that they had declared their intention of supporting the abolition of the penalty, giving as their reasons the concessions already made by the Government. The hon. and learned Member for Oxford—who, no doubt, was numbered among the supporters of the noble Lord—was largely responsible, with others on the same side, for the concessions upon which they now based their change of front. The reduction of the number of lashes to 25 had the support of the hon. and learned Member, the addition of the Schedules also; and it was on these concessions that the change of front was largely based. [Sir William Harcourt dissented.] The hon. and learned Gentleman shook his head; but it was impossible to find upon what else the change was based. The argument used by the hon. and learned Member for Oxford had never been answered. If this penalty was abolished, nothing was left but the penalty of death; and that was an argument in favour of the humanity of those supporting the Government. They were reduced to these two alternatives—the lash and the bullet. Members on the other side said, adopt the bullet; on the other hand the Government said, use the lash. Surely the latter were the real friends of humanity.

Mr. MUNDELLA, as to the claim put forward by hon. Members opposite to be considered the friends of humanity, would like to ask the Secretary of State for War if he had made any inquiry into the working of the Code in the German Army, and if he was prepared to say how that Code worked; and then he would ask why it was that English soldiers were assumed to be so different to those of Continental Armies? He was assured, on the highest military authority, that in the Austro-German War not a single German soldier was shot as a punishment. It was said there was no alternative between the lash and the bullet; but here was an Army in which the lash was unknown, and they had not required to use the bullet.

What was the reason for this? Again, in the Franco-German War, only one or two out of the whole German Army suffered the death punishment—out of 600,000 or 800,000 men in the field, with every temptation to marauding and crime. But the answer was, there was a different class of men in a conscription Army; and the noble Lord opposite (Lord Elcho) had accused those who argued for the abolition of flogging, of casting their sympathies in with the ruffians in the Army; but surely this ruffianism must exist in a conscripted Army, and there was a necessity for keeping discipline. But were they likely to have more or less ruffianism while this system of flogging was in existence? He had seen men coming from the mine and the loom to stand side by side with bankers' clerks and men of good education, and surely that was a case in which the argument of his hon. Friend would have applied. Why, then, had they heard nothing of this system in the German Army? Our authorities had copied, in the most slavish manner, the German system. They had copied the German Army, in fact, in everything but its discipline. Did not the right hon. and gallant Gentleman know that the German Military Code was the most humane in Europe. But there was something more to be said. His hon. and gallant Friend the Member for Renfrewshire (Colonel Mure) said there was only that kind of punishment that could be resorted to for particular offences. Was there such a poverty of invention in England, that but one sort of punishment could be resorted to? Again, he would ask the Committee whether, if this same punishment were inflicted on any animal in the creation, under any circumstances whatever, whether the man who inflicted it would not make himself amenable to our criminal law? He believed the hon. Member for Berkshire (Mr. Walter) had originated a very useful discussion by the line he had taken—that they would have to look more to the character of the men who enlisted in the Army. If the military authorities would pay a little more regard to character, and trust a little less in the lash, we should have not only a much better class of soldiers, but a much better Army. Instead of retaining flogging only in time of war, it seemed to him that if it were to be retained at all, it must be retained in a time of peace; for, according to the argument of the gallant Officers opposite, it was the only mode of bringing men into proper discipline. He, for one, should now vote for the abolition of the cat under all circumstances, because he believed they could devise other punishments much more effective, and much more likely to reform the Service; while, at the same time, they would get a better Army, and raise the character of the men of England.

SIR WALTER B. BARTTELOT said, it was high time to come to a decision. He quite agreed with those who thought it was unfortunate this discussion should be so protracted. Even hon. Gentlemen opposite, who had at heart the abolition of this punishment, must think it due to the soldier himself that this discussion should cease; that they should have an absolute decision upon the merits of the case; and that they should not, on every occasion when it could be brought before the Committee, raise again and again and afresh this question of flogging. He had been very much struck with the debate to-day. He was not going to accuse the noble Lord the Leader of the Opposition, or those who acted with him, of doing what they did not believe to be absolutely right; but the noble Lord, in his speech, had declared that there were certain cases in which flogging ought to be used. The noble Lord proposed that there should be an amendment in the Preamble, and that they should define absolutely and distinctly those cases in which flogging ought to be employed. He knew that many had changed their minds; but, even at the eleventh hour, the noble Lord still thought there were reasons why a General of an Army in the field should have that power. Putting aside all other feelings, what the Committee had to consider was, what would be for the best interests of an Army in the field. When he heard the hon. Member for Sheffield (Mr. Mundella) say that in no other Army were there punishments like those in the English Army, his answer was that the English Army was far more just and equitable and humane to its soldiers than any other Army the hon. Gentleman could name. He knew the Code of the German Army, and what was done in it; and he defied the hon. Gentleman to get up and say that what individual officers did to their men in the German

Army—and it was the same in the French Army—would not be considered in this country discreditable and disgraceful, and would not for one moment be allowed? The hon. Member shook his head; but it was an absolute fact. No later than last week he saw that an officer in a foreign Army was tried and condemned to five years' imprisonment in a fortress for violently assaulting and brutally ill-treating soldiers under his command on 66 different occasions. How? With his fist and with his sword. That was certainly a punishment well deserved; and he would ask, in justice and fairness, whether it was not a fact that there was not an English officer who did not dislike, and would be the last to punish his men, and who did not always avoid it, unless it was absolutely impossible to get on without it? A statement was made the other day about the 1st Dragoon Guards, when they embarked for Zululand. It was said they had a number of men flogged. He had made inquiry about that at Aldershot, and he ascertained that three men were flogged for the grossest insubordination. They were men who had volunteered from another regiment and had been transferred to the regiment, and they were flogged for forcing a sentry, and endeavouring to strike their officer who was on duty. What could they do with men like that, cooped up on board ship, and having their arms with them, unless there were some such means as flogging as a punishment for such misconduct? The suggestion that men should be tried by court martial and imprisoned would, in case of war, throw all the work upon their comrades, and would, besides, be just the thing the men would like. Every general officer he had seen—and they were bound to pay attention to their opinion—said that it was imperatively necessary in an enemy's country that they should have this punishment. The Committee had fenced flogging round in every way; and was it not more merciful to condemn a man to this punishment than, as in foreign countries, to five years' hard labour in chains? They might depend upon it, men would rather be flogged than go to prison for two years. He only wished the punishment could be done away with. But, now that the noble Lord had raised the discussion, he hoped he would agree that it was time to come to an absolute decision. He hoped hon. Members opposite, who said they did not want to put off the decision, would be bound by the majority, as those on that (the Ministerial) side would be bound, if the majority were against them.

MR. MUNDELLA said, the hon. and gallant Gentleman who had just sat down had challenged him to say whether the officers of the French and German Armies did not treat their men in a way which, in England, would be considered disgraceful, and would not be tolerated? He would only reply that such conduct was clearly contrary to the Codes of both the French and the German Armies, and was also punishable under the Military Code. That was one of the questions he inquired into only the day before; and other hon. Members, who were acquainted with the working of the Code, could corroborate him.

MR. J. HOLMS said, the discussion had opened up important considerations in relation to the whole condition of their Army. ["Oh!"] It was asked whether they were to change their system, or to deal with the material in their hands? They had now a Departmental Committee to investigate the condition of the Army, and surely, therefore, this was a proper time for them to consider the laws which governed it. He could not agree that, generally, German officers treated their men badly; and the hon. and gallant Gentleman (Sir Walter B. Barttelot) had defeated his own argument by quoting an instance where a German officer was sentenced to severe punishment for doing so. He had read, with the greatest care, the whole of the German Code, and he had visited Germany more than once; and he would not hesitate to say that if the cat-o'-nine-tails were adopted there, there would very quickly be a revolution in the country. It was said we must have the cat, because there were so many bad men in the Army. Well, he had always maintained that the way to get good men into the Army was to do away with the cat. Until it was abolished, it was certain that good men would not join the Army. The House had reason to complain that the Government had not had the question investigated by the Committee upstairs, for it could have been better considered there than it could be discussed here. The punishment was doomed, and the Government could only do harm by standing out. He deprecated this being made the subject of popular agitation.

MR. BAILLIE COCHRANE stated, that in Germany a different class of men served in the ranks to that from which the English Army was mainly recruited. He supposed the Opposition did not mean to claim a monopoly of humanity; and he asked them whether they would not give credit to the other side of the House for being anxious to do away with flogging, if that were possible? It would be well to look at the matter from an historical point of view, and to consider who had inflicted the severest punishments when they had the power. There never was more flogging than there was during the Mutiny at the Nore. He would remind the Committee that the French soldiers were different from our men, because many of those who had begun as private soldiers had risen to be Marshals. But, in England, we had an entirely different class of men to deal with; and though he would not call them blackguards, he did think that our soldiers were a class not to be controlled except by severe punishments. The Governor of Newgate had told him that the terror of flogging was so great that, if it superseded hanging, it would, he believed, do more than that punishment to deter people from committing murder. If flogging were prohibited, then, certainly, the authorities would be obliged sometimes to take away life, which otherwise could be spared for the service of the country.

MR. OSBORNE MORGAN observed, that those who charged him and his hon. Friends with a change of front in this matter forgot the educating influence of the debate. No one who had listened to the speech of the noble Lord (the Marquess of Hartington), and the debate which followed, would doubt that in the English Army the lash was, practically, dead. It had been dying by inches for the last month. It had been abolished in many cases, in which it was said that it was necessary in order to make discipline effective; and, as they had cut off so many inches from the "cats" tail, had they not better now get rid of it altogether? They had been told that flogging was necessary in order that men might not be shot; but a large proportion of the offences in the Schedule were so heinous, that death was a proper punishment for them. He would, for instance, shoot a man who went over to the enemy, or who gave information to them; while the rest of the offences were so trivial that they never ought to be punished with death. The hon. Member for the Isle of Wight (Mr. Baillie Cochrane) had asked him not to claim a monopoly of humanity. But if they did not claim a monopoly of humanity, the other side, also, should not claim a monopoly of sincerity. Why should this be made a Party question? There was nothing Party about it. He only regretted that Mr. Henley was not with them, to give them the benefit of his strong common sense on this question. How did other Armies maintain their discipline? No one would say that the German commanding officers were not the supreme authority in military matters; yet they had no flogging, nor anything of the kind.

> "Oh! would the gods the giftie gie us,
> To see ourselves as others see us."

He wished hon. Members could talk to French, German, and Italian officers on the subject, and not maintain the spirit of insular patriotism in which they had addressed the House. He could not understand why they should act in the spirit of the song—"He resisted all temptations to belong to other nations," and remained an Englishman. Hon. Gentlemen opposite, like the ostrich, insisted upon burying their heads in the sand, and not caring how much of the rest of their persons they exposed to view. They were told that the German Army was composed of respectable men. Well, he should have thought, as ours was a popular Army, that that would have been the strongest argument in favour of doing away with the lash. He need not refer further, however, to Continental Armies, for he had recently seen a gentleman who held a high position in the Army of the United States during the last war. That Army was recruited by voluntary enlistment, like ours, as everybody knew; yet when he asked if the lash was in use there that gentleman seemed astonished, and replied at once that public opinion would not tolerate it for a moment. He added—what every foreigner with whom he had talked on this subject said also—that he could not make out how it was that public opinion tolerated it here.. He repeated—what he had been told over and over again during these debates—that our soldiers were such a lot of blackguards that they could not otherwise be controlled. The reply was—

> "If you come to that, I think we could show you some blackguards in our Army as great as yours; but, then, if we flogged them, we should have far greater blackguards."

He would also call a witness who was entirely unprejudiced—the editor of *The Pall Mall Gazette.* That paper had been almost the apostle of the lash, and seemed to think that the world could only be regenerated by corporal punishment. Yet, in that paper, a letter had appeared that morning from a recruiting officer, stating that the lash did have one bad effect—it deterred respectable men from joining the Army. He did not wish this to be made a Party question, and he hoped it would never be made one; and if the right hon. and gallant Gentleman would give up the punishment, he would cheerfully make him a present of the personal popularity which would certainly result from his having the courage to come forward and remove this stigma from the English Army and the English nation.

SIR GEORGE BOWYER said, in justice to himself and duty to his constituents, he must state the reasons for his vote on this subject. He hated the punishment of flogging as much as hon. Gentlemen opposite. The question was, whether it was unavoidable? This punishment could only be justified if it could be shown that it was absolutely necessary. They were told, by the highest military authorities in this country, that it was necessary, and it was not for him, as a civilian, to contradict them. These were experts, to whose opinion he must pay the greatest deference; and he, for one, must accept it. When he was asked why flogging was not inflicted on the Continent, he could only reply that he should like to know a little more on the subject; but he believed that Continental officers did make use of their canes, and the flat of their swords, pretty freely. Again, he was quite certain that shooting was more general in foreign countries than in England. Men, who assaulted a sentinel or an officer, even in time of peace, would be shot. ["No, no!"] He asserted that unhesitatingly. And then he had seen a French soldier placed in the middle of a square of troops, stripped of his uniform, knocked down by a blow on the side of the head which almost rendered him insensible, and then walked round the square with a heavy weight attached to his leg, and off to prison. That was a very severe and degrading punishment. No doubt, flogging was degrading; but he thought there was one thing more degrading than flogging, and that was crime. For degrading crimes they must inflict degrading punishments. In France crimes were punished by the galley, which, in this country, would be punished by the lash. The criminals were dressed in a peculiar dress, with a number on it, and they had heavy chains on their legs. At night they slept in rooms, with other men like themselves, all fastened in rows to an iron rod, and were subject, in fact, to a species of slavery. Hon. Gentlemen, if they saw anything of that, and knew anything of that punishment, would certainly agree that it was quite as degrading as the lash. Most soldiers would rather receive a certain number of lashes and have done with it. Then, again, other Armies were conscription Armies, which resulted in great injury to commerce and trade, by taking the men away from their civil employments. It would be an evil day in this House when they adopted conscription, and he hoped no one would advocate it. The hon. Member for Berkshire (Mr. Walter) wanted an Army of picked men; but, if his views were carried out, they must incur an expense which would alarm the Chancellor of the Exchequer. He believed that flogging would only be inflicted in case of absolute necessity, and where the only alternative would be shooting; and, surely, it was better to flog than to take a man's life. It was quite clear that when men were on foreign service, or fighting in the field, the only possible alternatives were the lash or death. If anyone would convince him that the lash was unnecessary, he would vote for its total abolition; but he did think it was clear that it was absolutely necessary, as, otherwise, they might find themselves at the mercy of a few ruffians banded together.

MR. GLADSTONE: I am very sensible of the great importance and the great difficulty of this question. At the same time, I am under the influence of a very sincere desire to promote a reasonable expedition in our dealing with it. So far as the merits of the question are concerned, my own views have been so closely expressed by my noble Friend the Leader of the Opposition that I am very willing either to postpone it altogether, or simply to make such observations as have been suggested to me by the course of this debate. I observe that we are in an unfortunate predicament—that after lamenting the loss of a good deal of time upon the Bill, and after we have even charged upon certain Members a good deal of the responsibility for that loss, that we are ourselves pursuing a discussion of a subject of very great moment on the occasion of a Question from the Chair, the decision of which cannot advance us one step. I do think, therefore, that Her Majesty's Government may very fairly appeal to the Committee to bring the present discussion to a close. It has, undoubtedly, been of great use, inasmuch as it has clearly exhibited the views of my noble Friend and many others who have taken an interest in this question. It remains to be considered in what manner those different views which have been expressed are to be brought to an issue. What is quite plain is, that they cannot be brought to an issue on the Motion of my hon. Friend (Sir George Campbell). There are two methods which are open to us—we may proceed with the Amendments on the Paper, and then arrive at the Schedule; and then it would be possible for those who are prepared, with my noble Friend, to vote for the abolition of flogging, to give their negative votes on the Schedule as a whole, with the effect that flogging would be practically abolished. It would be abolished, however, in a manner informal and irregular; but there would still remain in the Bill a clause referring to the Schedule, and giving sanction to the principle of corporal punishment, and referring to the Schedule specifying the mode and the conditions of its infliction. I own, therefore, Sir, it appears to me that the more regular course would be, as the Committee has affirmed the principle of flogging in one of the clauses, that they should await a Report, in order to raise the question in a regular manner by some Amendment framed for that purpose, or, by a negative upon the clause, we might arrive at a perfectly distinct issue, and we should then be able to proceed to-night with the Amendment in detail. I must also observe that the right hon. and gallant Gentleman the Secretary of State for War, when he discussed the suggestion that has been made by my noble Friend as to an indication in the Bill itself of the mind of Parliament with regard to the reduction of flogging to the alternative described as the lash or the bullet, although he did not give any encouragement to that suggestion, and said that the balance of his mind was at present against it, yet I did not understand him to use such positive language as to entirely preclude himself from considering whether he could adopt such a course. Whether he has closed his mind or not I do not know, of course; but I regard it as a point of importance with regard to the matter in issue. However that may be, it appears to me that time—which is always a precious commodity—has become, under present circumstances, far more valuable than ever; and I think we should very greatly save time, if we could bring to an issue the present discussion on the Amendment proposed by my hon. Friend behind me (Sir George Campbell), and then proceed in a regular manner upon the Report to a decision on the main question.

THE CHANCELLOR OF THE EXCHEQUER: I most fully concur with what has fallen from my right hon. Friend. I must, however, point out that the discussion we have recently been going through was initiated by the noble Lord, and initiated deliberately with the consciousness that this particular clause, and this particular Amendment proposed by the hon. Member for Kirkcaldy (Sir George Campbell), was not a very convenient one on which to raise the question. The noble Lord, no doubt, had a reason for what he said, and thought it desirable he should take an early opportunity of declaring to the Committee the views which he and others whom he represents have now formed upon the general question. I do think it is, at all events, an advantage that we should at this time be furnished with that statement; though, of course, such observations as those he made necessarily led to a good deal of discussion on the general question. That discussion has ranged over several topics. I had intended to make some observations on several things which had been said; but I do feel so strongly the justice of what has been said by my right hon. Friend the Member for Greenwich that I will abstain from making any comment upon what has been said for the sake of going on with the Bill, and discussing the various Amendments now before the Committee, in the expectation that we shall have an opportunity, later on, of regularly debating this question. I shall then be able to state both the grounds upon which we proceed, and the arguments by which we think our course may be justified. I hope other hon. Members will take it up, and that we shall now proceed with the question before the Committee.

Mr. CHAMBERLAIN said, this question had been very fully discussed in the course of the present debate, especially upon the very important statement made, almost at its commencement, by the noble Lord the Leader of the Opposition. He need scarcely say with how much pleasure and gratification he, and those who worked with him, had heard that statement. He believed that it must materially affect the course which he proposed to take in reference to the Bill in its present stage. That statement was very important; but not less important was the statement by the right hon. and gallant Gentleman the Secretary of State for War, in which he most fairly, but, at the same time, most emphatically, admitted that on the Government, and on the Government alone, must fall the responsibility of retaining the flogging clauses in the Bill. That had not been quite clear to him and his Friends before. Some of them thought—and it had, indeed, been said in the course of the debate—that the Government desired to remove this punishment from the Bill, but that they were overborne by certain high military authorities outside. He was of opinion that that statement was without any real foundation; and, at all events, he was glad to find that the Government were prepared to take the onus upon themselves, and on them, and on their supporters, must the responsibility and the odium of preserving this barbarous and disgraceful punishment rest. They themselves, by their action, had cut away the only grounds upon which the maintenance of the lash in the Army could be really and properly defended. Perhaps hon. Members opposite were not aware of the full extent of the changes that had been made in this Bill. It was all very well for the hon. and gallant Member for Oxfordshire (Colonel North) to get up and declare that the discipline of the Army absolutely depended on the retention of these flogging clauses. What was the illustration by which he proved that? The hon. and gallant Gentleman certainly did not give the Committee a very good opinion of the British Army, for he spoke of a good soldier finding on his right hand a tremendous ruffian, and on the other the refuse of all the gaols in the Kingdom. But what were the offences which the hon. and gallant Member anticipated the men were going to commit? If they were offences within the cognizance of the civil power they did not want to flog them for it; while, if they were committing trivial offences against military discipline, flogging could not be inflicted as a punishment after the recent alterations made in the Bill. Up to the present time flogging had been chiefly inflicted for trivial offences, for offences against discipline, and, above all, for drunkenness in presence of the enemy. For such offences, and especially for drunkenness, flogging could not any longer be inflicted in consequence of the Amendments the Government had accepted. Then, he declared that they could no longer say that flogging was necessary for the discipline of the Army. What did the military papers say on the subject? *The United Service Gazette*, a paper written by military men for military men, in the last number, published July 12, said—

> "It would be wise for the Government now to yield to what is undoubtedly the genuine public opinion, and kill the cat for ever. There are many punishments which can be substituted for it on board ship and in quarters, and even in the field it is not an absolute necessity that the punishment of death should be the only alternative."

That was the opinion of a paper which had been in favour of the punishment, but now thought it was no longer worth retaining. The writer went on—

> "Let the Government be wise, and take time by the forelock; let them boldly announce that the lash is done away with in the Army and the Navy. It is worth the trial."

As a sentiment the experiment was worth trial, for this was virtually an appeal to the soldiers and sailors to uphold the dignity of their order, and to maintain that discipline which had hitherto made them invincible. Such an appeal would not be made in vain. He might also quote similar opinions from *The Army and Navy Gazette*, written while these debates were proceeding; but there was enough to prove he had the support of high military authority. He now had to consider what course should be taken with reference to the Amendments standing in his name. All these Amendments were practically intended for the limitation of this already limited punishment; but it did seem to him illogical and inconsistent to propose limitations when, in a short time, they were going to discuss the propriety of abolishing the lash altogether; and, under these circumstances, he would withdraw his Amendments from the Paper in the present stage of the Bill, and would offer no further opposition in Committee, reserving his objections till they discussed the main question, when the whole Liberal Party would undoubtedly declare against the continued retention of this degrading punishment.

MR. MACARTNEY said, that when he was at the University of Bonn his rooms overlooked the drill ground, and he had seen the sergeants and officers in a Cavalry regiment use their canes very freely on the backs of their men. ["When?"] That was when he was a student there. [MR. SULLIVAN: That was 80 years ago.] He believed it was in 1836. Again, in the Mediterranean —about the year 1846—he saw a sailor crucified — his arms and legs were stretched out and fastened in the rigging. The man was kept suspended there for a whole day, in the burning sun, without water; and he was told that the punishment was given for some breach of discipline. That was on board a French line of battle ship.

SIR GEORGE CAMPBELL said, the Amendment he had proposed had rather been lost sight of in the discussion initiated by the noble Lord. His enthusiasm for his Leader had been so much excited of late that he was now glad to follow not only when he thought him right, but even sometimes when he thought him wrong. As, however, he had previously committed himself to his Amendment and to an opinion adverse to the plan recommended by the noble Lord, he was obliged to stand by it. If the Government would not accept it, then he might feel himself free to vote against the punishment of flogging altogether. He was very anxious to see the Army composed of respectable men; but then it must be remembered that they could only obtain these men by paying for them, and that the cost would be very heavy.

MR. SULLIVAN said, the hon. Member for Tyrone (Mr. Macartney) had endeavoured to prejudice them by stories of what occurred when he was at school at Bonn; but they did not want to know what had happened between 60 and 70 years ago. He would remind the hon. Member, in the words of his noble Leader, Lord Beaconsfield, that a great many things had happened since then; and if he would inquire he would find there had been a great improvement in the German Army. As to the position this question now occupied before the House, he understood the suggestion had been made that his hon. Friends should withdraw all their Amendments from discussion in Committee, and have one set battle on the Report. That might be a very convenient course for the Government; but he should hesitate about accepting it. He noticed in the accounts of an engagement between a Peruvian iron-clad and a Chilian wooden vessel, the iron-clad wanted the wooden vessel to come out and fight a grand match and settle at once and for ever; but the wooden vessel did not see the plausibility of that proposal; so the minority could not be decoyed from their vantage ground in Committee by any such amiable invitation as had been addressed to them from across the floor. He (Mr. Sullivan) felt that he and his hon. Friends had an advantage in Committee which they would not have on Report. And it was by making use of that advantage that the admirable concessions of the Government had been gained. If they were only allowed to remain in Committee three or four days longer, he could not doubt that, from the kindly desire of Her Majesty's Government to do what was right for the efficiency of the Army, they would accomplish a full measure of reform by abolishing the degradation of the cat. He informed the Committee fairly that he was determined to take a Division upon every conceivable Amendment which he could raise in Committee, because he should have an advantage there which he would not have on Report. He wanted that punishment should be visited on the offenders in crime irrespective of persons, and the result of the Division would show whether it was the crime or the class of the offender that was aimed at.

THE MARQUESS OF HARTINGTON: Sir, of course, the hon. and learned Member for Louth is perfectly entitled to take whatever course he thinks proper, and no one, I believe, would have the presumption to offer to him, or any hon. Members below the Gangway, advice as to the course which they should pursue. I cannot but think, however, that the arrangement suggested by my right hon. Friend the Member for Greenwich (Mr. Gladstone), and assented to by the right hon. Gentleman opposite, is the most convenient course that could be adopted —namely, that the decisive Division on this question should be postponed until Report. My hon. Friend the Member for Birmingham (Mr. Chamberlain) intimated that, as far as he was concerned, he did not propose to move the Amendment of which he had given Notice, and would, therefore, assist in passing the Bill through Committee this evening. I cannot help thinking it would be very convenient, if possible, that that arrangement should be carried out. Of course, it is desirable that we should, before discussing the Amendments in the way proposed, have some understanding as to when the Report would be taken. All I can do to assist in this matter is to say that we do not propose to take any part in the discussion upon these subordinate issues, but to wait until the House has an opportunity of deciding upon the main question.

MR. BIGGAR said, before the Amendment of the hon. Member for Kirkcaldy was withdrawn, he might be permitted to offer a few remarks on what he believed to be the general position of affairs. The object being to secure the abolition of flogging, it appeared to him that the front Opposition Bench was not taking the most desirable course in order to secure that end. The position of the matter was this—there were a number of Amendments on the Paper, each one of which was directed, more or less, to the principle of flogging. They knew the Government would not agree to all those Amendments; but it was quite possible they would agree to some of them, and the principle would in that way be more or less curtailed. The right hon. Gentleman the Member for Greenwich and the noble Lord the Member for the Radnor Boroughs had proposed that the right to place these Amendments before the House should be waived, and that hon. Members should wait until the Bill had reached its final stage, when the whole question was to be settled by a sham fight and a Party Division. The result of that would be that the noble Lord, who had voted in favour of flogging on several stages of the Bill, would gain the credit of having made a Motion for its abolition. In that case, the whole odium of its retention would rest upon the Government, and the Opposition would simply be fighting in favour of a foregone conclusion. He (Mr. Biggar) would certainly not recommend any such course. It was well known that the great body of electors in the large towns was against this punishment; and the Gentlemen on the front Opposition Benches, looking to this fact, cared not one straw for the interest of the Army, or of the soldier, but were simply fighting in the interest of Party. He would suggest to Her Majesty's Government that the best way to take the wind out of the sails of the noble Lord would be to propose, on Report, that the clause giving the power of flogging should be struck out of the Bill. He did not agree with the proposal that hon. Members should not move Amendments which they believed would go in the direction of lessening this punishment, neither did he approve the right hon. Gentleman and the noble Lord coming forward, at the eleventh hour, when the battle had been fought out to the bitter end, and trying to make some political capital out of it.

SIR ROBERT PEEL could not but think that Her Majesty's Government had been placed in a position of some embarrassment by the course which had been taken by the noble Lord the Leader of the Opposition. It would, he thought, have been better if the noble Lord had given Notice of his intended suggestion, in order that the Government and the Committee might have been fully prepared to deal with it. He was bound to say that after the concessions made by the Government, he, for one, in common with many others, were prepared to accept these concessions as final; and he would remind the hon. and learned Member for Louth (Mr. Sullivan) that when, on a former day, the Secretary of State for War had made his statement that he intended to confine the punishment of flogging to cases in which sentences of death could be awarded, he expressed his entire concurrence with the course which the Government had taken. He was sorry that this movement had been made now. It certainly had the appearance of a Party movement. It was all very well to disclaim such an intention on either side; but it was quite evident that this sudden change of front had been taken after the noble Lord and his Friends had seen which way the cat jumped. Those who had been fighting this Bill, clause by clause, were really entitled to the credit of the suggestion which had been made. He was bound, in candour, to admit, after the admission of the Secretary of State for War, wherein he distinctly told Parliament that, in his opinion, and in the opinion of the military authorities of the country, it was impossible to maintain the discipline of the Army unless the Schedule which had been submitted by the Government were adopted by the Committee—namely, that flogging should be resorted to in cases punishable by death—that he, for one, was prepared to bow to that decision. There was great force and weight in that decision. They had obtained great concessions; and he thought it would be unfair to the Committee that the question should now be made one of Party, for the purpose of gratifying a few right hon. Gentlemen who sat upon the front Opposition Bench, and who would now get to themselves all the credit for concessions which had been gained by the strenuous exertions of those who sat below the Gangway. After having heard the statement of the Secretary of State for War, that the discipline of the Army could not be maintained without recourse to flogging in cases punishable with death, he should feel very great reluctance to vote against the Government upon this question.

MR. O'CONNOR POWER said, the speech of the right hon. Gentleman (Sir Robert Peel) contained an unexpected vindication of the course of persistent opposition to certain clauses of the Bill which had been followed by hon. Gentlemen below the Gangway on his side of the House. He certainly congratulated his hon. Friends upon the triumph they had achieved. But he was at a loss to understand whether the proposal which was made by the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), and the noble Lord the Member for Radnor Boroughs (the Marquess of Hartington), had been made with the object of abolishing flogging in the Army, or for the purpose of re-uniting the Liberal Party. He sympathized with both those objects; but thought that the abolition of flogging in the Army was the more important of the two. He had no doubt that by some unaccountable arrangement the Liberal Party would be united whenever they had the opportunity of vindicating their principles on the hustings; but he did not see any such immediate necessity for that close union during the next four or five weeks' of Parliament as should preclude discussion upon Amendments on the Paper. Nevertheless, when a spirit of conciliation was shown in any quarter of the House, he thought it should be met in a similar spirit; and if there was now a spirit of conciliation abroad, he was quite prepared to go abroad and meet it. But he had not been able to understand what *quid pro quo* his hon. Friends were to receive from the Government for the withdrawal of their Amendments. Was it that Her Majesty's Government, supposing that the Amendments were withdrawn, were ready to take Report on Wednesday or Thursday next, at such an hour as would give hon. Members an opportunity of debating the question of flogging over again? He was not aware that the Government had made any such proposal; and if they abandoned the vantage ground which they now possessed in Committee, he wanted to know what equivalent the noble Lord the Leader of the Opposition or the Secretary of State for War was prepared to give them for that abandonment on their part? He hoped that it would not be forgotten that anything which had been achieved in the direction of reform had not been achieved by what were called great debates, nor by sham battles. His hon. Friend the Member for Cavan (Mr. Biggar) had described them when the

Front Benches, in all the panoply and pomp of war, crossed swords across the Table. He had always thought that that sort of thing—making a Parliamentary advertisement on one side for the defenders of the Constitution, and on the other for the Gentlemen who, for the moment, were vindicating the liberties of the people—was not the way to secure success. There was no result. If hon. Members wanted any result, they must be prepared to do the odious work of walking into the Lobbies in a miserable minority, perhaps over and over again, and thus making an impression on those charged with the Business of the country. How were they treated when they were engaged in that odious task? Nothing but denunciations had proceeded from some of the most prominent Members of the front Opposition Bench. He excepted from that indictment the hon. and learned Member for Oxford (Sir William Harcourt), who had assisted them upon some very important points in their proceedings, and to whom, probably, were due most of the reforms which Her Majesty's Government had accepted with reference to this Bill. In order to bring the matter to a harmonious conclusion, he would appeal to Her Majesty's Government to show what equivalent they were prepared to offer for the withdrawal of the Amendments.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I did not understand the suggestion of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) to be anything in the nature of a proposal for any bargain or arrangement for giving a *quid pro quo*. On the other hand, the Government feel that it would be their duty, under the circumstances of the case, to place the Report of the Bill as a first Order of the Day on Thursday next, if we can get it through Committee to-night. I understand that if the debate in Committee is concluded by a reasonable hour this evening, the Bill, as amended, is so far advanced in reprinting that it would be in the hands of Members early enough for them to examine it between to-morrow morning and Thursday, when we propose to take it as a first Order of the Day. I understand my right hon. Friend and the noble Lord both to say that it would be more convenient to have a discussion, in some form or other, upon the question which would raise a distinct issue, and that the clause before us does not admit of raising a distinct issue between those who wish to abolish flogging and those who wish to retain it. My right hon. Friend has suggested that the proper and most convenient arrangement would be to move an Amendment on Report; and I need only say that we are anxious to give every facility for a full discussion of what we all feel to be an exceedingly important question.

SIR WILLIAM HARCOURT pointed out that the Committee having passed the 44th clause, which enacted that there should be corporal punishment, it could not then be modified by taking any Division as to whether there should be corporal punishment or not. Such an issue could only be raised on Report; and it appeared to him desirable to bring the matter to that stage as early as possible. No doubt, many hon. Members wanted a Division at once; but that was impossible. What would be the advantage of taking a discussion upon a number of side issues and Amendments? They wished to persuade the country that the issue was an important and substantial one, and not raised for the purpose of delaying the progress of the Bill. He thought it would be best to allow the Bill to pass through Committee as rapidly as was consistent with the discussion of material matters. From any point of view this appeared the most desirable course, because they could not get any control over the Bill until they could control the 44th clause.

MR. OTWAY desired to ask the hon. and learned Gentleman (Sir William Harcourt) whether he was right in his assumption that the question of corporal punishment could not be raised until the Report of the Bill was before the House, because it seemed to him that it could be very well raised on the Schedule? He wished to present the spirit of conciliation which had been so general in the House, and was quite willing to reserve any observations that he had to make for a future occasion. He rose, therefore, solely with the object of asking whether the hon. and learned Gentleman was correct in assuming that the question could not be raised before Report?

SIR WILLIAM HARCOURT said, nothing could be done in Committee which would remove from Clause 44 the words—"Corporal punishment may be inflicted for offences punishable under this Act." What was the use of taking a Division on side issues, when they were within two days of the Report? The course which had been suggested seemed to him to be the more Parliamentary and expedient course.

MR. PARNELL was not prepared to say whether it would be advisable to continue a course of persistent opposition on the question of flogging. He thought, however, there was a good deal of force in the observations of the hon. Member for Mayo (Mr. O'Connor Power), when he asked the Government for something in return for the abandonment of the Amendments at this stage of the Bill. It would be manifest to the Government that they would not be in a position to have the Report stage on Thursday; and he would suggest that it would be a great advantage to have an opportunity of calmly considering the whole question until the following Monday, when the Report might be finished. If the Government would agree to this, he should be justified in abandoning until then the position which he had taken in Committee upon this flogging question, and the Bill would undoubtedly go through Committee that evening.

THE CHANCELLOR OF THE EXCHEQUER: I must remind the Committee that this particular question of flogging is one which has been so very much before the minds of hon. Members during a considerable time that there ought not to be any difficulty in preparing for the discussion on Thursday. The circumstances as to the pressure of time are so well known that I will not refer to them again; but it must be remembered that the present Act expires on the 25th instant, and that the present Bill has to go to the House of Lords, where it would be hardly decent to expect that the noble Lords interested in the matter should pass it without making some observations upon it.

MR. SULLIVAN felt he could speak for the hon. Members round about him, and say that it was their desire that this Bill should not be lost. The request of the hon. Member for Meath (Mr. Parnell) was in no sense made with the object of hazarding the passage of the Bill. He would suggest that the Report should be taken on Friday, when he doubted not that the Government would have the Bill in an improved shape.

MR. BIGGAR joined in the suggestion that the Report should be put off until Friday. If hon. Members were only allowed one day to look over the Bill, they would not have time to put on the Paper any Amendments which they might think it right to propose; and the consequence of that would be that the Committee would not have an opportunity of sufficiently examining them before they were submitted to their consideration. Again, if hon. Members, owing to the short space of time allowed to them, were unable to frame necessary Amendments, the Bill would pass the House with a number of imperfections. He thought the Chancellor of the Exchequer would find the Business of the House despatched by taking the Report on Friday.

MR. CALLAN thought that hon. Members would have ample time for the consideration of Amendments if the Report were taken on Thursday.

MR. RAMSAY felt it to be requisite that the Bill should be proceeded with with the least possible delay; and that, although hon. Members might have but a brief period to consider Amendments which they might wish to make, they should consider also what was due to the other House of Parliament, and assent to the Government proposal.

DR. KENEALY said, it would be more advantageous, in his opinion, to bring on Report next Friday than upon Thursday. He had the greatest hope that after the remarks which had proceeded from the front Opposition Bench the Government would no longer entertain the least doubt that public opinion was entirely in favour of the abolition of the punishment of flogging in the Army. He did not hesitate to express his belief that the proposal which had just been made was a Party move. It was a Party move, because right hon. Gentlemen on his side of the House, having seen that the whole current of public feeling in England, Ireland, and Scotland was against the punishment of flogging, had adopted this opposition for the sake of catching the wind of popularity. He believed that if another day was allowed for the purpose of bringing on this measure, the Government would find, from reports that would reach them from all quarters, that it would be most advantageous to the Service of the country to abolish flogging altogether, and that, in doing this, they had adopted a course favourable to their own interest.

Mr. CHAMBERLAIN thought that the appeal made to the Government was a reasonable one, considering the large concessions made upon his side of the House. If, however, the right hon. Gentleman could say that he believed the success of the Bill would be seriously endangered by taking Report on Monday, he did not see how he could be pressed to take it on that day. He felt that Friday would not be a very convenient day, because the debate would, in all probability, be adjourned, and have to be resumed on Monday.

The CHANCELLOR of the EXCHEQUER: Supposing we had Report on Monday, and that the discussion finished at a late hour, you will have to read the Bill a third time, and to send it up to the House of Lords, when it must be printed and laid upon the Table. That cannot be done before Wednesday or Thursday; and when it is considered that in the House of Lords there sit not only the Commander-in-Chief, but Lord Cardwell, the Secretary of State for War under the late Government, Lord Cranbrook, the late Secretary of State for War, and other noble Lords interested in this matter, it would, I think, hardly seem decent to expect that they would be able to pass the Bill through, as they do many Bills, without making any observations upon it. Then it must be remembered that the Bill may come down here with Amendments, and that the Royal Assent must be obtained on Friday week. I think it will be seen from all this that the time has been run very close; and that, as the House has been in possession of the Bill since the month of February, the other House would have a right to complain if the course proposed by hon. Gentlemen were followed.

Mr. PARNELL asked the Chancellor of the Exchequer whether, if hon. Members abstained from further discussing the question of flogging in Committee, and in the event of the House deciding to retain that punishment, they would have an opportunity of moving their Amendments with a view to its limitation upon Report?

The CHANCELLOR of the EXCHEQUER: I do not think the hon. Member for Meath will have much difficulty in finding a place for any observations which he may wish to make. This is a matter in which the Government has no control. The Bill will be in possession of the House, and if there are any Amendments proposed they will have to be considered and discussed, whether Government wish it or not. We shall do everything in our power to facilitate discussion of all the Amendments which may be proposed, trusting, of course, that they will be reasonable, and that there will be no attempt to introduce anything irrelevant to the subject.

Mr. PARNELL asked whether, in the event of the debate upon Clause 44 continuing to a late hour on Thursday, and in the event of the House deciding to retain the punishment of flogging, the Government would give hon. Members an opportunity of introducing new clauses and moving Amendments, with a view to the limitation of the punishment, at a Morning Sitting on Friday?

Mr. MITCHELL HENRY thought that on Report no Member could speak more than once.

The CHANCELLOR of the EXCHEQUER: It must be borne in mind that on Report new clauses take precedence of Amendments, and would, therefore, have to be discussed before any Amendment was proposed to Clause 44.

Clause *negatived.*

Mr. PARNELL moved, in page 18, Clause 44, to insert the following Clause:—

(Cumulative punishments.)

"Cumulative punishments shall not be inflicted in respect of offences committed by persons subject to military law, and convicted by courts martial, in the case of penal servitude for a term exceeding seven years, and in the case of imprisonment for a term exceeding twelve months."

The hon. Member said, that during the Sitting of the Select Committee evidence was given that soldiers were sometimes in prison for six or seven years as the effect of cumulative sentences. That had, to a great extent, been done away with in the present Bill, inasmuch as cumulative sentences could not be inflicted for more than two years. He now wished to submit that they might be fairly limited to 12 months in certain cases, because they were nearly always inflicted for small and trivial offences; and a man sentenced for getting drunk, which in itself was not of a heinous character, might, as the Bill then stood, get a very severe sentence. He asked the Secretary of State for War to further extend the principle which had been already acted upon, and to say that cumulative sentences should not be inflicted in case of imprisonment for more than 12 months, and that in case of penal servitude they should not take place for more than seven years.

New Clause (*Mr. Parnell*) *brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

COLONEL STANLEY could not accept the Amendment of the hon. Member for Meath (Mr. Parnell). With regard to penal servitude, he wished it to be understood that when a soldier was once condemned for crime to penal servitude he stood on the same footing as any other prisoner subject to the same punishment. As regarded accumulation of imprisonment, the hon. Member had himself drawn attention to the fact that it had been now limited to two years in all cases. That was the minimum to which, in his opinion, under all the circumstances, it was desirable to go.

MR. PARNELL pointed out that in ordinary criminal law it was not the practice to inflict cumulative sentences of imprisonment, but that it was the practice to inflict cumulative sentences of penal servitude. He asked the right hon. and gallant Gentleman to limit these sentences still further than was provided by the Bill.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, the hon. Member was mistaken in his impression that cumulative sentences of imprisonment were not given. They were given; but it was not usual that they should amount altogether to more than two year's imprisonment.

MR. BIGGAR, referring to the description given by the hon. Member for Kirkcaldy (Sir George Campbell) of the sufferings endured by soldiers undergoing long terms of imprisonment in hot climates, urged upon the right hon. and gallant Gentleman to agree to the part of the clause relating to imprisonment. It was well known that when a man was sentenced to two years' imprisonment in a hot climate it implied either death to the individual or permanent injury to his health.

Clause *negatived.*

MR. PARNELL moved, in page 18, after Clause 44, to insert the following clause:—"A soldier shall not be sentenced to corporal punishment more than once in twelve months." The hon. Gentleman said, that there had been several instances in which soldiers had been sentenced to corporal punishment within very short intervals. He did not say that there had been any recent instances of the practice, for, of course, the country had been at peace for a great number of years, and there had been no recent instances of the infliction of corporal punishment. In 1858 a case occurred in which a man was sentenced to receive 50 lashes thrice within six weeks. Between the second and third times of punishment his back was perfectly raw. There was nothing at present to prevent a man being flogged at intervals of three or four weeks, or even of one week. The power of flogging should not be allowed to become an abuse, but should be limited in a reasonable manner.

COLONEL STANLEY said, that if he were to accept the Amendment the result would be that if a soldier committed certain offences for which he was liable to corporal punishment, and again committed the same offence within 12 months, he would escape all punishment. As to being flogged more than once in six weeks, of course he would accept the statement of the hon. Gentleman that that had happened; but he could not conceive the circumstances under which it could have arisen, for it was the duty of the medical officer to examine and certify in writing that a man was fit to undergo any punishment. If the case had been accurately stated there must have been gross carelessness on the part of the medical officer. He was afraid, however, that although they might put in this Amendment, preventing flogging from taking place more than once in 12 months, yet no clause in an Act of Parliament would restrain soldiers from committing the crimes within that period.

Mr. BIGGAR did not know whether he was correct in his opinion; but he certainly thought that if a soldier was so bad a character that he required flogging more than twice in 12 months he was better out of the Army. The argument of the right hon. and gallant Gentleman seemed to him to be very much against the principle of flogging; and he would really suggest to him whether it would not be better to agree to the Amendment, and see whether men that required flogging more than once in 12 months could not be got rid off? If they were going to keep a soldier who required flogging twice in 12 months, that man would pass a long time in hospital, and his value to the Army would be very small. If this Amendment were adopted, a man could be got rid of who was of so bad a character that he required so severe a punishment as flogging twice in so short a period as 12 months. All the arguments he had heard went to show that it was undesirable that men of vicious character should be mixed up with men of good character, who were likely to be influenced by their example. If a man were flogged twice in 12 months he would require to be put in hospital, and would only form a part of the non-effective branches of the Service; moreover, the country would be put to the expense of male or female nurses to attend him, and of a military surgeon to dress his wounds. Would it not be better, instead of incurring this expense for a vicious man of no use to the Army to turn him out of it?

Mr. PARNELL asked, whether the right hon. and gallant Gentleman the Secretary of State for War doubted whether such a thing could happen as three floggings within six weeks after the instance he had given?

Colonel STANLEY said, he did not doubt the accuracy of the hon. Gentleman.

Mr. PARNELL would not bind himself to the accuracy of what he had stated, for he had only had the information communicated to him. He thought if the right hon. and gallant Gentleman would refer to the records of the Royal Artillery of a certain place he would find that a soldier, called Davis, was flogged in the riding school three times within six weeks. On the first two occasions he took it very well, but the third time his back was covered with ulcers; but, nevertheless, the medical man allowed the punishment to be inflicted. There was a great noise about the matter at the time, and he might mention that the name of the officer who inflicted it was Cartwright.

Mr. SULLIVAN knew of an instance which occurred in 1867, when a man was flogged twice in something less than a week. The man was tried for a specific offence, and sentenced to 50 lashes and two years' imprisonment. On hearing his sentence he threw up his cap, and called out for three cheers for the General presiding at the Court. He was called back, and sentenced to receive 50 more lashes and two years' more imprisonment. He got 50 lashes the next week, and within the same week received the second 50; he also served his four years' imprisonment. That incident occurred in Dublin, in 1867.

Mr. OTWAY said, that the observations of hon. Members were thrown away. It had been urged upon the Government that a man who deserved flogging more than once in 12 months was better out of the Army. To that the right hon. and gallant Gentleman replied by reiterating the weak, foolish argument which they had heard hundreds of times when this question was discussed years ago, that they must not allow a soldier to see that he could be got rid of. Why, that was the very thing they ought to do—they wanted to get rid of the bad character. They had heard a good deal about the military authorities with regard to this question. He thought that the civilians in that House were much more competent to discuss this question, and advise upon it, than the military authorities, when they put forward the argument that it was better to flog a man twice in 12 months than get rid of him altogether.

Question put.

The Committee *divided*:—Ayes 37; Noes 65: Majority 28.—(Div. List, No. 169.)

Mr. PARNELL moved, in page 18, after Clause 44, to insert the following clause:—

(Instrument to be used.)

"The instrument to be used in the infliction of corporal punishment shall be a cat-o'-nine-tails according to the sealed pattern approved by the First Lord of the Admiralty, dated the seventh day of December, One thousand eight hundred and seventy-seven, from the Royal Marine Office, and endorsed W. J. Rodney, D. A. G., but without knots."

The hon. Gentleman said, that it would be in the recollection of the Committee that, during the discussion upon the instrument to be used for the infliction of this punishment, some remarkable statements were made by the right hon. Gentleman the First Lord of the Admiralty. In reply to some observations made, he denied that there was any Marine cat, and he also denied that there was any cat used on board the training ship at Portsmouth. After some considerable contention, the cats were brought down to the House, and exhibited in one of the rooms, in the custody of the Sergeant-at-Arms. There was also exhibited the cat belonging to the right hon. Gentleman the Home Secretary, in use in prisons. They then found that one of the cats from the Admiralty came from the *Duke of Wellington*, at Portsmouth. Another cat, which was called the Marine cat, was produced, and also a smaller cat, the one referred to in his Amendment, and which was said by the right hon. and gallant Gentleman the Secretary of State for War to be used in the Army. The result of the discussion that took place showed a very remarkable ignorance on the part of the right hon. Gentleman the First Lord of the Admiralty, the Home Secretary, and the Secretary of State for War, as to the instruments which they used in inflicting this punishment. The right hon. Gentleman the First Lord of the Admiralty admitted, at that time, that he had not seen the instruments; neither, he (Mr. Parnell) supposed, had the Secretary of State for War; and everything which happened then and since had shown the necessity that an instrument not of exceptional severity should be used in the infliction of this punishment. They had no information as to the nature of the cats used on board ship for flogging soldiers and sailors, or as to the nature of the cats used in the operations in South Africa. They had recently heard, upon the authority of the Government, that 200 soldiers had been flogged in South Africa—that was one out of every 75 of the Force there. He should be very glad to know what pattern of cat had been used; whether it was according to the pattern of the Home Secretary—a cat of the most villainous description—or whether the cat was according to the pattern of that used on board the *Duke of Wellington* training ship, or whether it was according to the two other patterns found at the Admiralty? He was at a loss to understand that there was any pattern. It seemed to be left to the captain of a ship to choose his own cat, and to please himself as to the number of knots, and the weight of handle, and the length of tails. He thought it desirable that if they had an instrument of that kind it should not be one which would inflict an excessive punishment. He had chosen that pattern of cat which seemed to him to be the best. It was true the pattern he had chosen, now in the charge of the Sergeant-at-Arms, had a number of knots; but he thought the cat to be used should be without knots. If that punishment were to be inflicted, they desired to lessen the torture as much as possible; and since the House had decided to inflict the cat-o'-nine-tails they asked that there should be some uniformity in the instruments used, and that an excessive cat should not be employed.

MR. MACDONALD agreed with the proposition of the hon. Member for Meath. He might be misinformed; but he had strong reason to believe that the cat which had been exhibited, and which was said to be the Naval cat, was not the cat in use at the present moment in several stations where Her Majesty's Squadrons were. Three years ago he was in California, and it was there said to him—rightly or wrongly he did not know, for he did not see the hands turned out for punishment, and did not witness the flogging—but he was then informed that though an order had then gone forth, from the First Lord of the Admiralty, that a sealed cat should be used, that that was not the cat then in operation, but the same cat which was in existence 25 or 30 years before, and was in use in the Pacific Squadron. If that were the case then, and if that were the case now, unless it was specifically declared in the Bill that the cat to be used should be a cat without knots, what guarantee had they that the same thing should not occur again? He saw there an hon. and gallant Gentleman who had had some experience in Her

Majesty's Navy, and, perhaps, he would be able to inform the Committee if there were not a cat used with more than nine knots? That being the case, he could, at least, speak from certain knowledge that such a cat did exist 30 years ago. He hoped that the hon. Member for Meath would go to a Division upon his Amendment.

MR. CALLAN trusted that the hon. Member for Meath would not be put to the trouble of going to a Division upon his Amendment, for he conceived that the right hon. and gallant Gentleman the Secretary of State for War was bound in honour personally to the House to accede to the Amendment. But, before he proceeded with that matter, he must be allowed to remark upon the departure from the House of the right hon. Gentleman the First Lord of the Admiralty. It was not only not respectful to the House, but it was not respectful to the hon. Member for Meath. No sooner had allusion been made to the Navy cat than the right hon. Gentleman sneaked out of the House.

THE CHAIRMAN said, that the hon. Member must not use the words "sneaked out of the House," as the expression was not Parliamentary.

MR. CALLAN said, that he withdrew the word "sneaked," and would only say that the right hon. Gentleman had covertly left the House. He had gradually moved along the Treasury Bench, until he imagined he could leave the House without being observed. He had left the House, evidently and purposely, to avoid exciting attention.

COLONEL STANLEY did not think that the hon. Member would wish to misrepresent his right hon. Friend the First Lord of the Admiralty. He might explain that his right hon. Friend had merely gone to what the hon. and learned Member for Oxford (Sir William Harcourt) once happily described as "Committee of Supply."

MR. CALLAN said, that he would reserve his remarks with reference to the right hon. Gentleman the First Lord of the Admiralty. In the original debate upon the clause as it was first placed before the House, the right hon. and gallant Gentleman the Secretary of State for War stated, in reply to the hon. Member for Birmingham (Mr. Chamberlain), that the Army cat had no knots, and was exactly similar to the sealed pattern cat at the Admiralty. It was said in the House, in his presence, that the Army cat was precisely similar to the sealed pattern Army cat in the Navy; but it had been seen that the Marine cat was the only sealed pattern cat at the Admiralty. It was also said by the right hon. and gallant Gentleman, in reply to the hon. Member for Birmingham, that the Marine cat was without knots; the Marine cat had now been exhibited in that House, and had nine knots. Those assertions could not be contradicted, and the right hon. and gallant Gentleman, by his own admissions, was honourably bound to accede to the clause proposed by the hon. Member for Meath.

COLONEL STANLEY said, that there seemed to be some misapprehension, which he would endeavour to remove. Speaking from recollection, be believed that the first question he was asked was with regard to the pattern of the cat, and whether it was the same as the Navy and Home Office pattern? To that he replied that, not being acquainted with either, he could not answer the question. He was then asked whether the cat had knots? He had never seen a cat for 20 years, and he could not exactly remember the pattern of it. With regard to the actual cat, he was asked to seal a pattern. Whether there was a sealed cat or not already he did not know, as the thing had not been in use for many years. He replied that he would seal the pattern, and that he would take the cat in use in the Army, whether better or worse than any other. There were obvious reasons for not departing from that pattern. He had also been asked whether that cat was similar to the Marine cat? He believed that it was; but as the instrument had not been in use in this country for 10 or 12 years it was difficult to speak with regard to it.

MR. CALLAN said, that the right hon. and gallant Gentleman was under a misapprehension. In the course of the debate it had been stated that the cat in the Army was the same as they used in the Navy; it was also stated that the sealed pattern cat at the Admiralty had no knots. The instrument deposited in that House, in the charge of the Sergeant-at-Arms, consisted of nine tails of strong whipcord, with nine knots at the end of each tail, which would inflict, in the hands of a skilful administrator, such punishment as would remove 81 pieces of flesh. [Colonel STANLEY dissented.] The right hon. and gallant Gentleman shook his head; but he (Mr. Callan) had not the slightest doubt that that would be the result of the experiment, if they could find a subject to make it upon. He would suggest that the cat-o'-nine-tails at the Admiralty, and the Marine cat, at present the only sealed cat—the cat with nine tails and nine knots—should be made the universal pattern. They should eliminate the nine knots from the nine tails of that cat, and they would diminish the question by eight-ninths. He did not know whether he should be right in referring to the Naval cat in the absence of the right hon. Gentleman the First Lord of the Admiralty; he only wished, however, to make a comparison. The Marine cat was not the Navy cat; but he saw at the Admiralty the Navy cat. When he saw it it was endorsed, "Specimen approved of, lodged in store many years ago." But when that cat was deposited in the care of the Sergeant-at-Arms that endorsement was removed, and the following endorsement was substituted:—"Specimen cat, approved of for use on board Her Majesty's ships for seamen and Marines." He had been contradicted with reference to his statement that there was a Navy cat and a Marine cat. The hon. Member for Meath put a question to him with reference to the matter, and he stated, in reply, that the endorsement had been changed. That was the first opportunity he had had of saying that that endorsement had been changed, and the person who informed the right hon. Gentleman the First Lord of the Admiralty that the former endorsement had been removed, because it was no longer required, was unworthy of holding office in the Admiralty. He was sure that the right hon. Gentleman had not made the statement of his own knowledge; it was a deliberate falsification by some subordinate officials in the Admiralty. Acting upon the information given him, the right hon. Gentleman the First Lord of the Admiralty had come down to the House and stated that the endorsement had been removed because it was no longer required. But if no longer required, why not send the cat to the Museum? The whole matter, in connection with these cats, had been conducted by the right hon. Gentlemen the First Lord of the Admiralty and the Secretary of State for War, not from their own knowledge, but from the misleading statements of subordinates. It was due to themselves, as Members of that House, to ascertain and investigate who were the persons really responsible for these falsifications. He did not suppose that the right hon. and gallant Gentleman the Secretary of State for War had ever seen a cat in his life. He could not see what objection he could have to remove the nine knots from each of the nine tails. The vote which they were about to take was upon the question that the Secretary of State for War insisted upon having nine knots at the end of each of the nine tails, in order to scarify a poor soldier's back by taking off 81 pieces of flesh. That was the vote which they would have to give next Thursday—namely, whether the cat was to have nine tails, and nine knots to each tail? If the nine knots were removed from the end of the tails, he would not go to much inconvenience in coming to the Division on Thursday; but unless the right hon. and gallant Gentleman removed those knots he could not lay much claim to the merciful consideration hitherto shown him at the hands of hon. Members.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

MR. BIGGAR said, that so far as he knew, the Secretary of State for War had not given them any information as to what the nature of the cats to be used was to be. He should be glad to know to what extent the cat he recommended resembled the sealed cat in the possession of the Sergeant-at-Arms?

MR. CHAMBERLAIN said, he had an appeal to make to the hon. Member for Meath, and he wished to point out what he thought was rather delaying the further progress of the Bill. His hon. Friend was very anxious, if the House should hereafter affirm the continued propriety of corporal punishment, that he should have an opportunity of moving the various limiting clauses; and he understood from the Chancellor of the Exchequer that those clauses would have to come first on Report. It would be extremely inconvenient to take up the time on Thursday in discussing those limiting clauses, when the House really wanted to come to a Division on the main question. What was really desired was that Thursday should be occupied, so far as it was necessary to be occupied at all, by a discussion on the main question. A Division would probably be taken late at night as to whether there was to be any flogging at all. That question having been decided, his hon. Friend wished to have an opportunity of moving his limiting clauses, which opportunity he would obtain if the Chancellor of the Exchequer would undertake that the debate on the Report should then be adjourned to a Morning Sitting on Friday. If that could be arranged, he would advise his hon. Friend to withdraw his Amendments now and reserve himself for Friday.

THE CHANCELLOR OF THE EXCHEQUER said, he was most anxious to make any arrangements which would facilitate the discussion of that question; but, of course, the Government had not the power to override the Rules of the House, and one of those Rules was that when a Bill was discussed upon Report new clauses must be disposed of before they came to the Amendments. If, therefore, they had any new clauses to propose, unless one of them should raise the whole question of the principle of flogging, to which he had nothing to say, they must discuss those clauses before they came to the amendment of the Bill in detail. He should, of course, be most anxious that the discussion should be continued, if necessary; and if the Bill were not finished on Thursday he should propose a Morning Sitting on Friday, and, if necessary, a Sitting on Saturday as well, though he did not like to propose Saturday Sittings.

MR. HOPWOOD asked, whether it would not be possible for his hon. Friend to move some general affirmation on proceeding to the consideration of the Report?

THE CHANCELLOR OF THE EXCHEQUER: Yes.

MR. DILLWYN said, that there was another plan. The whole question might be raised upon another clause, which could be taken before all other clauses. Perhaps that would be a more convenient course.

COLONEL STANLEY said, that, personally, he was inclined to agree with the hon. Member for Swansea (Mr. Dillwyn); but the matter did not rest in their hands. It was competent to any hon. Member to move a new clause; but, of course, the precedence of these clauses *inter se* must be decided by hon. Members themselves; and, in that case, if the clause were taken it would probably be advisable to take it early.

MR. CHAMBERLAIN asked whether the Chancellor of the Exchequer would be willing to give up Friday to the Amendments?

THE CHANCELLOR OF THE EXCHEQUER said, he should be very glad if the discussion on corporal punishment could be taken the first thing on Thursday, and if any arrangement could be made by which the question could be so raised. It would then run on; and, of course, the Government would be quite willing to make any arrangements by which the other discussion might be concluded. He would not anticipate the discussion on corporal punishment, which might last the whole night. It it did not finish on that night, they would, of course, be prepared to continue it on Friday morning.

MR. CHAMBERLAIN asked whether the discussion would go on late on Thursday night?

THE CHANCELLOR OF THE EXCHEQUER thought it was rather inconvenient to put all these hypothetical questions, because it was impossible to say what might happen. The Committee, however, were perfectly aware of what the general feeling of the Government was. They did not wish to keep the Committee sitting at unreasonable hours, nor, on the other hand, did they wish to shorten or stifle discussion; but, at the same time, they wished to get through the Bill, so as to let it go out of that House in the course of the current week.

MR. PARNELL said, that all he wanted to secure was this—after the field day on Thursday, and in the event of the House deciding on corporal punishment, he wanted to have on Friday an opportunity of asking the House to limit the matter in certain ways. There were, for instance, the Amendments on the Schedule, which, otherwise, it would be necessary to move that night. He thought, however, it would be great waste of time to go on moving Amendments with regard to flogging that night pending the decision of the House, which was to be taken on the Report; and if there was any way in which their right would be recognized to move those Amendments subsequently to the debate on the principle of flogging on Thursday he should be perfectly satisfied, and would not detain the Committee by pressing those points at that moment. He thought that the Chancellor of the Exchequer meant to deal fairly by them, and that they need not further press their Amendments that night.

THE CHANCELLOR OF THE EXCHEQUER, before the Motion was withdrawn, wished to say that this was exactly one of those cases where the proverb, "Where there's a will there's a way," applied. If they agreed that there should be, first of all, on Thursday a discussion upon the main principle of flogging, they would leave it entirely to hon. Gentlemen to consider how they would like to raise their Amendments. They could ascertain what the Rules of the House were upon that point. The Government, on their part, were perfectly ready to offer facilities on Friday for the discussion of any limitation hon. Members might wish to propose, provided they would take care that they were proposed in such a way as not to raise unnecessary side issues, but would let the House go, without waste of time unnecessarily, to the discussion of those limitations. Possibly, the House might then be ready, having put the Bill into shape, to read it a third time at once.

MR. CALLAN wished to correct a misapprehension that had arisen, to the effect that the Navy cat had knots upon its tails. That was not so, it being a peculiarity reserved for the Army cat.

Clause, by leave, *withdrawn.*

MR. PARNELL moved to insert, after Clause 53, the following clause:—

(Prisoner may be represented by legal adviser.)

"A prisoner tried by court martial shall be entitled to be represented by a legal adviser, who shall conduct the defence of such prisoner in like manner as in a trial before a court of civil judicature, subject to such rules of procedure as may be from time to time adopted in accordance with the provisions of this Act for the conduct of courts martial."

The hon. Gentleman said, that the subject with which the Amendment dealt was a very important one. At present, a prisoner tried by court martial was not entitled to have his defence conducted by a counsel or a solicitor. Prisoners were allowed to be represented by a friend, which friend was usually a legal gentleman. They had not the advantage of having before them the rules of procedure that were being adopted by the Government with regard to the proceedings of courts martial. One of the clauses of the Bill gave to the Secretary of State for War power to frame rules and proceedings for courts martial; but they did not know what those rules were at present, though he assumed that the old practice would be continued, and that there would be no material alteration made, so far as that part of the procedure went. But, at the same time, he thought it would be of the greatest possible importance that it should be a settled and understood thing that a prisoner tried by court martial should be entitled to have his defence conducted by a professional adviser, otherwise they might have a court martial refusing to allow a prisoner to be represented. The Select Committee which inquired into that Bill last Session made a very strong representation, to the effect that in every case a prisoner should be permitted to have the assistance of a legal adviser, though they did not recommend that such a provision should be embodied in the Bill, or made part of an Act of Parliament. There was rather a difficulty as to the way in which to arrange it, because the Committee did not consider that question until very late in the Session, when they had very little time before them, and, consequently, could not have the advantage of witnesses who were capable of speaking with authority on the question. But he would submit that now that they were passing a permanent Act they should not let the opportunity go by without securing for the soldier or the officer who was to be tried the privilege of having legal advice, if he so desired. In fact, he thought that in a case where a soldier was unable to pay for that advice a counsel ought to be assigned to him, just as a counsel was assigned to an undefended prisoner in an ordinary civil case. The Act was a very complex one. It created a variety of new crimes and new offences, the punishment for which was very severe. It was, therefore, of the greatest importance that the soldier should be represented, at all events, on a court martial, when he was being tried for any serious offence, by a competent adviser, who was capable of understanding military law.

MR. CAVENDISH BENTINCK said, that the subject was one which had been under the consideration both of the House and of other Bodies, to whom the Civil and Military Law of the country had been referred. The hon. Member for Meath seemed to be hardly aware that the present practice was not a practice under a recognized Statute, and the employment of counsel as a friend was merely the result of a provision in the Queen's Regulations. He had not the Queen's Regulations in his hand; but they provided for all proceedings by court martial, and, amongst other things, it was provided and established that a prisoner should be represented by counsel—that was, by a friend acting as counsel, though that friend was not allowed to address the court, nor to cross-examine witnesses. It would, however, be quite open to the Secretary of State for War, if he thought proper, to alter his Regulations, and to declare that a prisoner might be represented in a court martial exactly as in a civil court. It was, however, the opinion of all the authorities, and of those who had given evidence upon the subject, that it was not in any way desirable to change the present practice. Amongst others who had given valuable evidence was that of an hon. and gallant Member who he regretted not to see in his place. That hon. and gallant Gentleman, having been examined as a witness, and having great experience on the subject of courts martial, gave very strong evidence in favour of the present practice, and that opinion he repeated in his place in equally strong terms. The objection to any alteration he would state shortly as follows:—First of all, it started with the proposal that if a prisoner was too poor to employ a counsel the Government should assign a counsel to him. That would entail enormous expense; but passing by that, the great objection to the proposal was that it would place the court, which was essentially a military court, under a disadvantage if cases were always to be argued upon one side and the other by skilled lawyers. According to the hon. and learned Member for Oxford (Sir William Harcourt), he had not wished to see barristers on one side or the other. If it were allowed, then the legal staff, the staff of advocates, would be superior to the court itself, and, in all probability, justice would not be done. But if they allowed prisoners always to be represented by professional advocates, it would be necessary for the Government also to have a large legal staff always at their disposal, not only upon general courts martial, but also upon district and regimental courts martial. There would always be a crowd of men willing to serve and pick up cases; it would be necessary for the Secretary of State always to be ready with advocates on the other side, and endless expense would thus be incurred. Now, let them see whether there was any injustice to the prisoners in the present system. He had seen a good number of those cases since he had held the Office he was in; and he certainly sided with the military authorities in considering that no alteration was necessary; although, if he thought for one moment that if any injustice to a prisoner was done, he should be the first to recommend an alteration. At present, the prisoner had a friend who was a professional friend. He prepared all the questions; he wrote the defence; in fact, he did everything for the prisoner, except addressing the court. Under the present regulations, all that took place at courts martial were taken down in writing by some person who was employed for that purpose, or else by a shorthand writer. That being so, he did not think, himself, that the prisoner would be so very much benefited by having questions, in the nature of cross-examination, put suddenly to witnesses. Every question that a witness desired to put to witnesses, either in the examination-in-chief or cross-examination, could be put, and he did not see under what disadvantage the prisoner lay. He might also mention that all findings and sentences of courts martial were submitted to the Judge Advocate General. The Deputy Judge Advocate also attended every general court martial as a matter of course, and he attended district or regimental courts martial when his services were required. When he was present it was his duty to watch the proceedings, and to see that no prisoner was put to any disadvantage, and he acted, to a certain extent, as the prisoner's friend. Then, after all that, the proceedings, which were in writing, had to go to the Judge Advocate General's Office, where they were perused with the greatest care, and where it was absolutely certain that if there was any point whatever which tended to the disadvantage of the prisoner it was rigidly examined, and, if possible, turned to the prisoner's advantage. He might say that since he had held the Office of Judge Advocate General he had never heard of a complaint, on the part of a prisoner, that he suffered from the action of the present system; and, under those circumstances, seeing that the practice had been established for a long time without detriment to the Public Service or to the prisoners who were tried; seeing also that the practice had the approbation not only of the military authorities themselves, but of those skilled persons who had been examined by Commission or upon Committees, he could not see any reason for any alteration in the present practice, an opinion in which he believed he should be confirmed by his right hon. and gallant Friend the Secretary of State for War. He, for one, would venture to submit to the Committee that this was not the proper way to make the change, even if the change itself was not objected to. The proposal of the hon. Member for Meath was one which he thought the Committee could not accept. The procedure which he recommended might, or might not, be advisable; but to put it into the Statute was a proceeding to which he should very strongly object. He was sure that the proposition would meet with the objection of the Government, and, indeed, of any Government who had the conduct of legislation. To change the procedure was one thing; but to put it into the Statute was quite different.

MR. SULLIVAN thought there had been a good deal more of the General than of the Judge in the speech which they had just heard. The right hon. and learned Judge Advocate General had told them that a prisoner at present had legal assistance only; that the assistant was to be called a friend; and that, as a matter of fact, at many courts martial a barrister or solicitor was that friend. What was now proposed was that the cumbrous machinery and grievous waste of time involved in writing down and handing in the questions to the President of the court might be abolished, and in place of that the right of questioning should be put into the hands of the prisoner's counsel. He never heard anything more lame or illogical than the statement put forward from the Treasury Bench. It was said they had already legal assistance, and therefore they could not allow a prisoner to have any further legal assistance, in the same manner as a man on trial for his life in a civil court had a right to legal assistance. It was said that it was not for the convenience of the military tribunal that any further legal assistance should be permitted. If the forms of the law for the due and essential protection of life and liberty in civil courts were not a myth, then they should be adopted, so far as possible, in military tribunals. If the forms of defence allowed a man upon trial for his in ordinary civil courts were useful for bringing out the facts and for the protection of innocence, surely the man on trial for his life before a court martial ought to be allowed the protection of those forms of procedure. The right hon. and learned Gentleman had assumed that the accused already received substantial justice, and that they were allowed counsel; and he further said that if the counsel were to be allowed to put questions to the witnesses he did not see what the Crown could do. As if the Crown could not find counsel to represent it! He had not the slightest doubt that the Committee would agree that if these things were necessary for the protection of innocence or the conviction of crime, they must in that case import something more than judicial proceedings into a court martial. The proceedings of a court martial would be held under this Statute; and, therefore, upon the provisions of the Statute they were then passing would depend the efficient defence of many military prisoners. He would put to the Judge Advocate General to judge this matter as a Judge, and not as an advocate or a General, and consider whether it was not time, when they were passing such a measure as the present, that they should allow a prisoner on his trial before a military tribunal that defence and protection which the law cast around the same man if on his trial before an ordinary civil court.

Colonel STANLEY agreed with his right hon. and learned Friend the Judge Advocate General that very much was to be said as to the disadvantage of inserting a provision of the nature proposed in an Act of Parliament. He fully agreed that it would be much better to make this a matter of regulation. He might point out that if it were put into the Act that a prisoner tried by a court martial should be entitled to be represented by a legal adviser, and that the court had power to have a legal adviser for the defence of the prisoner, they would be doing a great deal of harm, for there were many petty cases of courts martial—such as absence without leave—where the evidence was perfectly clear, and the prisoner had even admitted his guilt, in which there was not the least necessity for counsel to be employed for the prisoner. Moreover, considerable delay in the trial might be caused by such a provision. He had no hesitation in saying that he had always been in favour of adopting, so far as he could, such improvements in the procedure of courts martial as might be consistent with the efficiency of the Service. But, under the varying circumstances, it was impossible to lay down a hard-and-fast line in matters of procedure; and he did not think it likely that wherever a prisoner applied to be defended, either by an officer or by a legal adviser, his request would be refused. Such a request was never refused when there was reasonable ground for granting it. But he thought to put into an Act of Parliament a hard-and-fast line allowing prisoners to retain counsel might lead to a miscarriage of justice, and, in the result, might tend rather to the disadvantage of the prisoner than otherwise.

Sir HENRY JAMES did not think that the right hon. and gallant Gentleman the Secretary of State for War had quite apprehended the effect of the proposed new clause. In his opinion, the clause was a very reasonable one, and he would support it to the best of his ability. The right hon. and gallant Gentleman seemed to think that if a hard-and-fast line were drawn, giving a prisoner a right to a legal adviser, delay would be caused in the administration of justice. That was not the object of the Motion. In cases, however small, before a magistrate in a civil court, the person accused of a minor offence could obtain legal assistance if he pleased. To say that the accused person had a right to legal assistance was not the same thing as to say that he had it. He had it if he could obtain it. This was really a somewhat serious matter, and he must take exception to the manner in which the right hon. and learned Gentleman the Judge Advocate General had dealt with the matter. One of the arguments he used against the suggestion was, he admitted, an argument which had very great weight with him. The Judge Advocate General said that one objection to the Amendment was that the hon. and learned Member for Oxford (Sir William Harcourt) did not approve of it. Naturally, he (Sir Henry James) attached great weight to the opinion of his hon. and learned Friend; but he thought that the Government should be as mindful of his opinions on other occasions as on the present. He would suggest to the Government that the next time that his hon. and learned Friend the Member for Oxford expressed an opinion they should at once give way to him, before they asked other hon. Members to do so on the present occasion.

Mr. CAVENDISH BENTINCK said, that the hon. and learned Member for Oxford had given evidence before the Royal Commission upon courts martial, when this subject was very much considered.

Sir HENRY JAMES said, that unless the Judge Advocate General agreed with what his hon. and learned Friend the Member for Oxford said the next time he heard him he could not be bound by his argument. Another suggestion put forward by the right hon. and learned Gentleman the Judge Advocate General was that prisoners now had legal assistance, and that they did not want more. He said, also, what legal assistance could the Crown have if the prisoner were represented? The best way to meet that difficulty was to let the Judge Advocate General appear in person. Let him conduct the case on the part of the Crown, and what chance would the prisoner have against him, in weight of eloquence, knowledge, and skill, in cross-examination? But even under such disadvantages, he saw no reason why justice should not be done; and he thought they should consider the subject very seriously. The reason for the opposition to the proposal was, as the Judge Advocate General had said, that the military authorities were against it. There was no doubt they would be against it; but he would ask the Committee seriously to consider the arguments in favour of the clause. The Committee must recollect that, for the first time, the Legislature was placing civilians under military law. At the wish of the Government they had accepted the 167th clause, which placed camp followers under military law. Everyone accompanying a camp—were he newspaper correspondent, civilian, or the humblest sutler—was brought under military law. Was it not right, therefore, to ask that the civil rights belonging to every civilian should be accorded to him? And it was especially necessary that his case should be stated from a civilian point of view. The course now taken was to allow an adviser who, it was said, might be either a legal adviser or a military adviser. But the prisoner's adviser was not allowed to ask a witness a single question. It was said that the questions must be written down and filtered through the court. What chance, therefore, was there of detecting a dishonest witness who always prevaricated? If the Judge Advocate General were examining a witness, he would not give him time to reflect what answer to give, for reflection only produced dishonest answers. What was the result of the present system? One result was to cause a great and unnecessary waste of public time. Another result was injustice to everyone, for by those means they could never obtain from a witness the quick answer —the answer of truth. Those were his objections to the present system; but what the right hon. and learned Gentleman the Judge Advocate General said was that he did not say whether the practice was right, or whether it was wrong; but he did say that the change ought not to be made by Statute. Now that they had made civilians subject to military law, they should take care to see that injustice was not done. Every argument used by the right hon. and learned Gentleman could be used against the prisoner. All that the Judge Advocate General did was to ask them to trust to the Government, and allow them to regulate the procedure. But they had just now heard the Government state that they did not think that this right should be conceded. The Judge Advocate General would say, when consulted about the matter—"The hon. and learned Member for Oxford objects to it; you will see that you cannot get counsel for the Crown; it is a thing that had better not be done." The matter should not be left to chance; but it should be stated in the Bill that, in some form or other, prisoners should be entitled to be represented by counsel at courts martial. It must be a matter of general regulation, and not of particular regulation; and, therefore, the Committee must decide the question once for all. The Government had told them that they would not make it a subject of general regulation, and they could not make it a subject of particular regulation. He had not, hitherto, placed himself in opposition to the Bill; but that was a matter to which he had always been anxious to draw the attention of the House, and he should, therefore, support the hon. Member for Meath, and he trusted that he would go to a Division upon the question.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) thought that these matters had become somewhat confused. In the first place arose the question, whether an accused person should have a right to counsel? With that proposal he was disposed to agree in principle. He thought that, in some form or other, the prisoner ought to have counsel; but there was another totally different question involved, which should be treated in a different way. They were not then dealing with the procedure of ordinary Courts of Justice, but that of a military tribunal. He did not wish to detain the Committee by detailing the proceedings of ordinary Courts of Justice, and he would only say that they arrived at their conclusions by an entirely different method from that which was adopted by military tribunals. In a civil court they had a Judge, whose duty it was to examine what evidence should be submitted to the jury, and to direct them upon it. In a court martial, on the other hand, each member of the court was both a judge and juryman; and the difference between the mode of examining and cross-examining in those courts, and that pursued in the ordinary civil courts, resulted from the difference in the constitution of the two sets of tribunals. He believed that the practice of putting questions in writing had not been found inconvenient, and had not, he believed, produced any injustice. But the Amendment, besides giving the accused the assistance of counsel, went on to say that his counsel—

> "Shall conduct the defence of such prisoner in like manner as in a trial before a court of civil judicature."

Did that mean that the procedure was to be the same? If it did mean that the procedure was to be the same as that adopted in a civil court, instead of the questions being reduced to writing, the prisoner's counsel would be at once entitled to cross-examine. That might be either right or wrong; but if it were intended, what was the meaning of saying that these courts were to be subject to such rules of procedure as might be, from time to time, adopted in accordance with the provisions of the Act for the conduct of courts martial? The rules of procedure would, probably, provide for the military forms of proceedings to be adopted, and there would at once be a conflict. Before the Committee could be asked to decide upon this question, they ought to know what was intended. Was it intended to force upon the military tribunal the form of procedure used in the Law Courts? If so, let it be plainly expressed, and then it would be found that military men would point out reasons why those forms of procedure, very useful in themselves and indispensable in civil courts, were totally inapplicable to military tribunals, which were generally composed of laymen, and had only to determine simple questions of fact. In its present form, it seemed to him that the Amendment was inadmissible, for it did not state what form of procedure was intended to be enforced by the Statute; and if it were intended to enforce the procedure of the ordinary Courts of Law upon courts martial, then he said that that object was undesirable.

Sir ALEXANDER GORDON hoped that the right hon. and gallant Gentleman the Secretary of State for War would be very cautious before he gave any promise to adopt this Amendment in any shape or form. The hon. and learned Member for Taunton (Sir Henry James) had answered the Judge Advocate General by telling him to conduct the prosecution himself. How could the right hon. and learned Gentleman do that, when courts martial were held in all parts of the world, and in places where no lawyers could be obtained. He did not think that the hon. Member for Meath (Mr. Parnell) had placed the question in a proper form before the Committee. He spoke of the prisoners not being allowed the advice of legal friends; but the fact was that they could advise with as many legal friends as they pleased. The only condition was that the prisoner's friend was not to address the court by word of mouth. That was the only condition, and when it was considered that officers were not lawyers it seemed to him to be a just and proper provision. He would mention that the Lord Chief Justice of England had stated that, in his opinion, courts martial were the most fair tribunal known to the law, and that they were always in favour of the prisoner. Then the Court Martial Commission of 1869 had expressed a similar opinion. Sir Colman O'Loghlen had also given an official opinion that the proceedings of courts martial were highly fair and equitable. He did not think that there was any necessity to permit counsel to address the court in defence of the prisoner. He trusted that the right hon. and gallant Gentleman would not accede to the proposal of the hon. Member for Meath.

Major NOLAN did not think that the hon. and gallant Member for East Aberdeenshire was quite right in stating that soldiers were not lawyers. There were many instances to the contrary. He believed that several American Generals were lawyers before the war began. He would very strongly support the view of the hon. Member for Meath—a view which had been so strongly advocated by the hon. and learned Member for Taunton (Sir Henry James). He was not quite certain whether some limitation should not be introduced into the Amendment. He would recommend that the power to employ counsel should be limited to general or district courts martial, and that at smaller cases coming before a regimental court martial counsel should not be allowed. He must say that the arguments of the hon. and learned Solicitor General were not convincing to him. The argument of the hon. and learned Gentleman was, that because the questions were put into writing there was no necessity why counsel should be employed in cross-examination. What he would suggest was, that in making rules for the procedure of courts martial it should not be necessary to put down all questions in writing; but that a *precis* of the proceedings should be made, and so the cumbrous nature of the proceedings, as at present conducted, would be avoided. He also thought that some discretion should be left to the Presidents of the courts, in order to the saving of time, and the simplifying of the proceedings; and he could not accept the proposition that the presence of counsel in courts martial would have the effect which he desiderated. As far as courts martial were concerned—and he spoke from personal knowledge of them—the questions to be decided were, in 19 cases out of 20, of the most simple character; and the plan which it was now proposed to make general would only apply to the twentieth case. He had, on many occasions, noticed the disadvantage at which a prisoner was placed by the present cumbrous system under which the President of a court martial declined to put down in writing a question which a prisoner wished to put who was, so to speak, working round to the basis of his defence. The labour of writing down the questions very often caused the Presidents of courts martial to decline to allow them to be put. In France, at the present moment, there was no objection to courts martial being addressed by legal gentlemen; and he certainly failed to see the validity of the objections which had been raised to the proposal of the hon. Member for Meath on the present occasion.

SIR JOSEPH M'KENNA thought that if there was any real force in the objections which had been raised by the hon. and learned Solicitor General, they would equally apply to the employment of counsel on examinations of accused persons before magistrates who, in many cases, were not lawyers. Such a practice as had been adopted in courts martial would certainly not be now followed in the ordinary criminal courts of the country; and he saw no reason why it should be continued in courts martial. He could see no reason, moreover, why civilians, who were, for the first time, brought under the operation of military law, should be at once deprived of the rights which they would have enjoyed if they had remained civilians, and declined to serve their country as volunteers.

MR. HOPWOOD was unable to see that there could be greater inconvenience in having legal gentlemen — whether attorneys, or solicitors, or barristers—present at courts martial, than there would be in allowing their presence at any other Courts of First Instance in criminal, or *quasi*-criminal, cases. It had been said that the only way out of the difficulty was to employ professional shorthand writers; but he was unable to see the necessity of taking any such step, because there must surely be in every regiment several men with sufficient clerical ability and general intelligence to take down a *precis* of the evidence given at any court martial that might be held.

MAJOR O'BEIRNE, while supporting the proposal which had been made, would limit its operation to general courts martial. If it was extended to regimental and other courts martial, the men would form clubs for the employment of legal assistance, and the result would be an enormous loss of time, without any corresponding gain, as far as the discipline of the Army was concerned.

SIR GEORGE CAMPBELL opposed the proposal to allow counsel to appear in military, as in civil cases, on the ground, mainly, that, in the majority of cases, it would not be possible to retain efficient counsel to appear; but, on the contrary, counsel might appear who would not assist the court.

MR. HERMON pointed out that the Bill, if passed, would put many thousands of civilians under military law who were not under that law at present; and, therefore, he saw no reason why those persons should not be put on an equal footing with the civilians, whose ranks they left in order to join the Army.

MR. E. JENKINS thought it would be well, even if prisoners were not allowed legal assistance, that they should have the sort of assistance which would be afforded by appointing legal assessors to assist at courts martial, so that such courts should be conducted according to the rules of evidence. He wished to point out to the Secretary of State for War that, whatever might be said by military Members of the House with regard to the constitution and procedure of courts martial, grave dissatisfaction existed in the Army with respect to the procedure, and it was necessary that steps should be taken to place that procedure on a better footing. Of course, in small courts martial it might be inconvenient to have counsel present; but it was not impossible to give a prisoner the option of employing counsel. In 99 cases out of 100 that option would not be taken advantage of; but there could be no practical harm in giving a soldier an opportunity of exercising it. If permission were granted in higher cases, surely the same privilege ought to be extended to soldiers. He would like to hear from the Secretary of State for War that some effort would be made to alter the existing state of things. He did not say whether the alteration should be expressed in the clauses of the Bill, or whether it should be established by Queen's Regulation; but the right hon. and gallant Gentleman ought to give the Committee some pledge that an effort would be made to improve the administration of justice at courts martial, and to insure their being always well advised by legal authority. It was time that the Office of Judge Advocate General should be made one of authority; that the Judge Advocate General should be a person in whom the whole Army might confide, and on whose opinion not only officers, but soldiers, might rely. He was making no invidious suggestion in pointing out what, in his opinion, a Judge Advocate General should be. It was not necessary to regard this as a personal matter; he was considering it in the abstract. He wanted to know whether the Secretary of State for War was prepared to entertain any of the proposals which were on the Paper for the purpose of improving the constitution and procedure of courts martial? Because he should certainly support the hon. Member for Meath if he went to a Division, unless the right hon. and gallant Gentleman was able to show that the establishment was being considered of some mode of procedure which would secure at every court martial the presence of some person who had studied military law, and was competent to give an opinion upon it. That was not unreasonable. Every soldier ought to feel that the proceedings would be so conducted that when the Judge Advocate General became possessed of them he would see, if he happened to be a lawyer, that no irregularity had been committed. He called upon the right hon. and gallant Gentleman to make some statement with reference to the matter; and, in the meantime, he could only say he considered that the proposal of the hon. Member for Meath was one which ought to be supported by the Committee.

Colonel ALEXANDER wished to point out to the hon. Members for Preston (Mr. Hermon) and Dundee (Mr. E. Jenkins), and the Committee generally, that under the Queen's Regulations a soldier could already have a professional adviser, although the adviser could not address the court. That was exactly what the hon. and gallant Member for East Aberdeenshire (Sir Alexander Gordon) had stated. He quite agreed that it was only at general courts martial a professional adviser could possibly be required, as at a regimental court the evidence was, as a rule, purely formal, and having a professional adviser in such a trumpery matter as that would be a waste of both time and money.

Sir CHARLES W. DILKE did not know whether the hon. and gallant Member who had just spoken was in the House when the hon. and learned Member for Taunton (Sir Henry James) addressed the Committee, as the hon. and learned Gentleman, in a powerful speech in favour of the new clause, showed how utterly incompetent courts martial, as at present constituted, were to elicit facts in a satisfactory manner. It was quite clear, now that civilians were, under certain circumstances, liable to be tried by court martial, that a proposal of this kind ought to be adopted. During the discussion strong objections had been urged against the employment of counsel in regimental courts martial, and it was possible that the hon. Member for Meath would be willing to omit those courts from his clause. He would, therefore, suggest whether the Government might not be able to settle the question on that basis.

Mr. COLE said, it struck him that the most important part of the new clause was that relating to the mode in which a counsel or solicitor should conduct the defence of a prisoner under trial by court martial. It was admitted that by the Queen's Regulations counsel were entitled to appear; but, at present, where they did appear they were perfectly useless, as all they could do was to write questions on paper and pass them to the court. One of the principal uses of a counsel was the exercise of his power of cross-examination; but that power was now entirely destroyed by the manner in which counsel were muzzled. They were unable to address the court; but he submitted that they ought to be able to act as if they were appearing before an ordinary civil tribunal. Certainly, in important cases, prisoners ought to be entitled to the assistance of counsel, though it was not necessary that the same rule should apply to small regimental courts. He strongly advised the Committee to adopt the clause—at all events, so much of it as would enable a counsel to conduct a case at a court martial in the ordinary way.

MR. OTWAY thought it desirable that perfect equality should be established in the trial of officers and soldiers. He agreed with what had been stated with reference to regimental courts martial; but he wished to call the attention of the Committee to the proceedings of a celebrated court martial, which took place a few years ago, which created a great sensation at the time, and to which the hon. and learned Member for Oxford (Sir William Harcourt) was probably much indebted for the great reputation he now enjoyed—he alluded to the case of Colonel Crawley. On that occasion the hon. and learned Member made of one of the most powerful speeches to the court that he (Mr. Otway) had ever read, and he believed it was entirely owing to the speech that the officer was acquitted.

Several hon. MEMBERS: The speech was read by the prisoner himself.

MR. OTWAY would be glad to hear a reply on this question from the Judge Advocate General, for it was desirable that the Committee should have the advantage of the right hon. and learned Gentleman's experience and legal knowledge. All that he desired was that a soldier should have precisely the same facilities with regard to his defence as an officer. If that were so already he was content; but if it were true that in the case of Colonel Crawley the hon. and learned Member for Oxford wrote the speech, the prisoner reading it, that was an advantage which, so far as he could understand, a soldier did not enjoy. Until the hon. and gallant Member for Ayrshire (Colonel Alexander) read the Queen's Regulation a short time ago, he was not aware that it was possible for a soldier to have a professional adviser at all, and he certainly was not aware of an instance in which the power had been exercised. He considered that the new clause proposed by the hon. Member for Meath should be accepted by the Committee, subject to the restriction suggested by the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke)—namely, that it should not apply to regimental courts martial, but to general and district courts.

COLONEL STANLEY disliked demurring to an Amendment, some part of which he was not indisposed to agree to, but which, on the other hand, he did not quite see his way to, because he was in doubt as to how it would work. It was all very well for hon. Gentlemen to propose clauses in support of which plausible arguments could be advanced; but when it became a question how the clause would work, that was a somewhat different matter. The question, in the present case, was not whether a prisoner should be entitled to employ a legal adviser, but whether, under the guise of allowing the employment of a legal adviser, they should entirely alter the procedure of courts martial. It was necessary to be perfectly clear on this subject. If by a "legal adviser conducting the defence of the prisoner," was meant that counsel should be allowed to address the court, and to act precisely the same as in a civil trial, he confessed that he could hardly assent to that without taking further advice. The acceptance of the clause, in its present form, would involve the complete reversal of what had been the mode of procedure at courts martial from time immemorial. It must also be borne in mind that courts martial differed materially from ordinary Courts of Law in this respect—that, whereas a decision in a Court of Law was final, in courts martial, other than regimental, the proceedings had to be forwarded home for examination and sometimes for revision. On that account, therefore, the practice of putting questions in writing was not, perhaps, quite so foolish as it at first sight appeared. Of course, where shorthand writers were available they might be employed under reasonable restrictions, but that clearly did not obtain everywhere; and to lay down a rule of this sort in an Act of Parliament would not only be fallacious in itself, but it would be found difficult in working. He had no objection, in principle, to a prisoner being represented by a legal adviser; but he did not think it right, subject to whatever further advice he might receive, that the defence of a prisoner should be entirely conducted by counsel—that was to say, that counsel should be able to cross-examine witnesses and make speeches as in an ordinary court. Above all things, it ought to be borne in mind that it was not always certain that the best legal adviser would be obtained; and it was necessary that a person not of a military character appearing before the court should not be put into such a position as to be able, by his superior legal knowledge, to place the court on the horns of a dilemma, and thus, probably, bring about the failure of justice. In most cases the procedure was very simple; and it would be worse than useless to lay down in an Act of Parliament that counsel should be employed. On the whole, therefore, he was afraid that, unless the new clause could be considerably amended, it would be his duty to demur to it.

Sir HENRY JAMES was sorry to be obliged again to trouble the Committee; but he felt called upon to make some remarks in reply to the objection, that by accepting the Amendment they would be altering the procedure of courts martial. That, in his opinion, was a very small objection, especially after they had altered the constitution of the Army itself, having made it a Parliamentary Army, instead of one governed exclusively by the Prerogative of the Crown. To say that justice was not to be done because it would be inconvenient to those who had the conduct of courts martial was a plea which he, for one, could not accept. Under the Bill, civilians were, for the first time, rendered liable to trial by court martial for 26 offences, the punishment for which might be death; and he failed to see why, under such circumstances, the proceedings should not be conducted on the same principle as in ordinary Courts of Law. It could not be denied that putting questions in writing was a very slow process; and the mode in which a prisoner was obliged to address the court in defence was repugnant to one's sense of justice. He saw no particular objection to the exclusion of regimental courts martial from the clause; for if the clause applied to general and district courts there would be a guarantee that prisoners would have the power of being legally represented.

Mr. ASSHETON CROSS said, it seemed to him that the contention on the other side was for the shadow, and not the substance, which had been given by the Queen's Regulations. He hoped they would not fight about a shadow. If every single word was to be taken down, and every answer was to be taken down, of course they must have a shorthand writer. That they had not got, and such a proceeding was, indeed, utterly unheard of. As to the appearance of a counsel, he wished to know by whom counsel would be controlled? The military court had no control over him; there was no such provision in the clause. He thought the proposal was a dangerous one. They would have this danger, and it was one which should be considered in the interest of the prisoner. If they were going to have counsel for the prisoner —if they were going to put this enactment in the Bill—they would have a practice of engaging counsel for the prosecution springing up. That, again, they had not got. It was quite clear that if there was counsel for the prisoner there would be a prosecuting counsel as well; and they would be much worse under this regulation than they were at present. Therefore, he hoped the Committee would hesitate before passing this suggestion. The present position of soldiers before the law was, he had no hesitation in saying, better than it would be under the proposal now before the Committee.

Mr. MUNTZ said, he did not deny that there were considerable difficulties in this case; but there was one question he should like to ask of the right hon. Gentleman, and that was, why a soldier was to be treated differently on his trial from any other person? Was a soldier undeserving of those securities which were offered to every other person? They had heard a great deal of the difficulty of controlling counsel. Well, but they found no difficulty in magistrates' courts. There was not an Assize Court in England where, if a prisoner was about to be tried for his life, and had no counsel, the Judge would not at once appoint a counsel to defend the party charged? That being the case, was it not an excessive hardship that a soldier should be treated differently? They ought to allow the soldier on his trial the right of having a counsel to advise him. He had heard nothing in the remarks of the right hon. Gentlemen opposite which met the objections of the hon. and learned Gentleman the Member for Taunton (Sir Henry James); and if the hon. Member for Meath went to a Division he (Mr. Muntz) would vote with him.

COLONEL ALEXANDER referred to the trials of the military prisoners in Ireland. In those cases, for some reason or other, the counsel for the prisoners withdrew from the court, and the trial was postponed until half-past 10 the following morning, to enable the prisoners to have the assistance of counsel. In the case of the trial of Kiley, the same legal adviser again withdrew, and the court announced to the prisoner that it would give him to the next day to employ other counsel, when the court would proceed with the trial, whether the prisoner obtained other counsel or not. It was quite clear there was no difficulty in prisoners obtaining the services of counsel. With regard to the case of Colonel Crawley, the defence, which was prepared, was read badly by Colonel Crawley himself, and the effect wholly spoiled.

MR. COLE said, he was strongly of opinion that military prisoners should have the advantages of having counsel. The Secretary of State for the Home Department said that they had the substance, and that they were only fighting for a shadow; but he contended, on the other hand, that they were fighting for the substance, nothing but the shadow having been left to them. He challenged the Home Secretary on his own ground.

MR. PARNELL only rose to say that if the Committee consented to read the clause he should be happy to adopt the Amendments suggested by the hon. Member for Chelsea (Sir Charles W. Dilke).

Question put.

The Committee *divided*:—Ayes 87; Noes 186: Majority 99.—(Div. List, No. 170.)

SIR GEORGE CAMPBELL had on the Paper an Amendment in page 39, after Clause 72, to insert the following clause:—

(Punishment of offences not actually seen by provost marshal.)

"For the punishment of the offences described in section seventy-two of this Act, which are not actually seen by the provost marshal, or which require a more severe punishment than the provost marshal is authorised to inflict, it shall be lawful for the officer commanding any detachment or portion of troops on active service to convene a field court martial, to consist of not less than two officers, and such field court martial may try the person accused of such offence in a summary way, the charge and finding being recorded and an abstract of the evidence being taken in brief, and such field court martial shall be competent to award any punishment which might be awarded by an ordinary regimental court martial;"

but he explained that as the views here embodied had been practically adopted he would not move it. He had also a further clause, after Clause 82, as follows:—

(Continuance of service of soldiers in reserve.)

"A soldier of the reserve who has completed or will within one year complete the period for which he was enlisted may give notice to the officer commanding the brigade depôt to which he is attached of his desire to continue in Her Majesty's service in the reserve forces, and if that officer considers that he is qualified for farther service, and the competent military authority approve, he may be continued as a soldier of the reserve forces in the same manner in all respects as if his term of service were still unexpired, except that he may claim his discharge at the expiration of any period of three months after he has given notice of his wish to be discharged."

It was not his intention now to proceed with this clause, seeing that the right hon. Gentleman opposite assured him that the existing law effected the object which he desired.

MR. PARNELL said, his next Amendment was, in page 47, after Clause 86, to insert the following clause:—

(If a discharged soldier or his wife or child becomes chargeable on rates, guardians may recover costs from the War Office.)

"If a person who has been a soldier of the regular forces, or his wife or child, becomes chargeable on the rates for the relief of the poor in the place at which he has taken up his residence, within a period of two years after discharge or transfer, the board of guardians of the union in which he or they become so chargeable, or of any other union to which he or they may have been removed under the laws regulating the removal of paupers, or in which he or they may have subsequently taken up their residence within the aforesaid period of two years, shall be entitled to receive from the War Office the cost which from time to time may be incurred by the union for the support of such person or persons."

He did not propose to proceed with this clause, because, yesterday, they decided a question similar to this. He begged, therefore, to withdraw the clause.

Clause, by leave, *withdrawn.*

Mr. E. JENKINS said, he now moved to insert a clause which was intended to have the same effect as that string of clauses which, unfortunately, he was not here to move, and with regard to which he must apologize to the Committee for not moving. On page 67, after Clause 123, he begged to move to insert the following clause:—

(Power of Judge Advocate General to revise sentence.)

"No finding or sentence of a court martial and no forfeiture or punishment shall be valid in any respect in which the Judge Advocate General shall determine that such finding, sentence, forfeiture, or punishment are not in conformity with law."

In moving this clause, he wished to raise an important point, and he should be glad if the right hon. and learned Gentleman would give his attention to the subject, if possible. He thought it would be a matter of satisfaction to the Committee, and would save time, if the right hon. Gentleman would state to the Committee what he proposed to do with regard to the point in the clause. The question came before the Committee thus. No one who had carefully read the evidence which was given before the Courts Martial Commission could fail to see that there was a certain dissatisfaction with the present procedure. "The ramrod case" had been cited as an instance of the injustice which might be carried on, owing to want of power in the Office of Judge Advocate General. In the case to which he referred, the Judge Advocate General declared that the proceedings were illegal, and yet the sentence was carried out, and justice was refused in the Office of the Secretary of State for War. Now, the question was this—what was the use of the Judge Advocate General? He confessed that the more he studied the question the more difficult he found it to give an answer. The Judge Advocate General was not in the Privy Council—he was not a lawyer—in fact, he had no legal knowledge whatever. This was a state of things which, one would think, could not exist in any civilized country. Now, he was not alluding to any person in particular. It was true that, from time to time, that Office had been filled by men eminent as politicians; but, on the other hand, it was notorious in that House that it had again and again been filled by persons who were not eminent lawyers. That they ought to be lawyers was clear, because they had the evidence of the present occupant of that Office that the finding of some 8,000 courts martial a-year passed under his supervision, and were subjected to legal scrutiny. It was an evidence of the diligence of the present holder of the Office that he was able to say that was the case. What he was aiming at, and what he desired to secure from the Government, was this—that the Office should be placed upon such a footing as that it should be impossible henceforth that it should be made a sinecure. He knew that it was very unpleasant to say, or to imply, what he was implying at that moment; but, nevertheless, he did say that it was an anomaly that there should exist in this country an Office, paid so highly as that of the Judge Advocate General, which should appear to be a mere sinecure. It was so, undoubtedly, at the present moment. He now passed from that part of the subject, and came to the practical portion of his Motion. And he asked the right hon. and gallant Gentleman the Secretary of State for War what objection there could be to framing a set of Regulations which should insure—of course, always supposing that the Judge Advocate General was a person who was capable of giving an opinion which was worth having—that the whole of the proceedings of the various courts martial throughout the country should be sent to his Office for revision? The Committee had passed a very important Resolution just now. It had denied all persons before courts martial the right of securing the assistance of a counsel who should proceed before the court martial, as he would do in civil cases. He, therefore, asked the right hon. and gallant Gentleman whether the effect of the decision of the Committee was not this—that they were driven back upon such proposals as those which were made by the hon. and learned Member for Oxford (Sir William Harcourt) before the Courts Martial Committee? He alluded to them just now, and he did so again. One proposal was that there should be present at every court martial a legal assessor, not necessarily a barrister, but a person who had studied military law, and was competent to give an opinion on that law. Whether the presence of such a person at regimental courts martial would be advisable he did not say; but at district and general courts martial there should be present some person who was competent to give an opinion on military law. It was a question, however, whether they might not have another set of officers trained up in military law, who might be present at important regimental courts martial; and he did not think it would be difficult to get officers to study military law, provided that a certain inducement was offered them. But, at all events, with reference to the present proposition—which was only one of a series that he would wish to submit to the Committee—he would point out that it was absolutely essential that the Office of the Judge Advocate General should be strengthened. He would ask that, instead of his being what he understood he was at present, simply a person to whom the cases were referred, and who made reports to the Commander-in-Chief, which he might or might not follow, in his hands should be placed the absolute decision with regard to the correctness or incorrectness, from a legal point of view, of the proceedings which were submitted to him. He wanted to know whether the right hon. and gallant Gentleman was willing to accept that principle—that the decision of the Judge Advocate General, with regard to the legality of the proceedings of courts martial, should be taken to be absolutely and distinctly irrevocable? He did not wish to detain the Committee any longer; and if he should succeed in eliciting from the right hon. and gallant Gentleman an expression of opinion on this point which was at all satisfactory he would not press the Amendment.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) remarked, that the hon. Gentleman had not told the Committee what the effect of the change which he proposed would be. At present, the Judge Advocate General was only an adviser; and the effect of this proposal would be to make him an absolute Judge, whose conclusions would be absolutely final. It seemed to him that that was far too serious a change to introduce here. It would be a total alteration of what the military law was; and the effect of it, so far from being in aid of the persons on whose behalf he seemed to speak, would be against them. The sentence, at all times, was now a thing which, as he understood, the proper authorities might, at any time, remit; but if the hon. Member's proposition was carried, there was an absolute, inexorable, and certain judgment arrived at by the person who was, at present, simply the Law Officer of the military authorities. Was that a desirable alteration? He submitted to the hon. Member himself that it was hardly a desirable thing to do.

MR. RYLANDS said, the hon. and learned Solicitor General, in his remarks, would lead the Committee to believe that the War Office, in dealing with the decisions of courts martial, received the advice of the Law Officers of the Crown. ["No, no!"]

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) explained, that he had only suggested that his right hon. and learned Friend the Judge Advocate General was to the military authorities what the Law Officers of the Crown were to the Government.

MR. RYLANDS said, it came, then, practically, to this—that the decisions of courts martial were subject simply to the review of the War Office. Now, the hon. and learned Solicitor General seemed to think that it would be a very great revolution to give the Judge Advocate General the power of a Judge. No doubt, it would be a very great change upon the present system; but it was one which was recommended by authorities who gave evidence before the Committee which sat last year. The Deputy Judge Advocate General—a gentleman who had probably more experience in this matter than any other man at present engaged in the Public Service—expressed a decided opinion in favour of such a power being given to the Judge Advocate General as that which was proposed by his hon. Friend the Member for Dundee (Mr. E. Jenkins). Therefore, when they were told they were going outside what might naturally be expected in a Bill of this kind, he entirely disputed that statement. They were only dealing with a matter which came within the competency of the Committee, to which the subject of the regulation and discipline of the Army, the Mutiny Acts, and the Articles of War were referred. It was only fair to the large number of soldiers who were brought under the control and judgment of courts martial that they should have at the central authority a power which would review irregularities, or correct any improper decisions on the part of those courts martial. He would not trouble the Committee by reading the evidence. ["Hear, hear!"] Hon. Gentlemen said "Hear, hear!" but he would remind them that he was now pleading for justice for a large number of men in the Army who, by reason of ignorance on the part of courts martial, might be treated in a manner not just. He did not say that courts martial would willingly do an injustice; but there could be no doubt whatever that they frequently did an injustice in their findings; and what he was pleading for now was that there should be at the head of the Judge Advocate General's Department a public official who should, in fact, have the position, and exercise the power, of a Judge. He knew what would follow from the adoption of such a proposal as that contained in his hon. Friend's clause. They would have to select for that appointment a man of high judicial character, to whom could be referred, with perfect confidence, these responsible duties. The House would then vote the salary of that learned Gentleman with perfect satisfaction; because they would know that, in appointing as Judge Advocate General a man of that high character, position, and experience, they would give a guarantee to the entire Army that this important Office would be fully and properly administered. If they were to continue to place in that Office a gentleman, not because of any judicial acquirements which he possessed, but simply because it suited the political convenience of one Party or another, then they were degrading and prostituting what ought to be a most important and useful Office in connection with the British Army. He entirely repudiated, in the remarks he was making, any intention to be personal. It was not a question of the present occupant. They had had, again and again, Gentlemen appointed to this Office simply on the ground of political convenience. He desired to protest against that. If different considerations governed the appointment, he should say that the Office was one that ought to be continued. But to pay £2,000 a-year, and not to get an absolute return in official competency and work, was to convert the Office into a farce. He wished to remind the Committee that the Office was left vacant for several months entirely for the political convenience of the late Government; and during that period no inconvenience resulted, the duties being performed by the permanent officials. He thought the Committee and the Government should be prepared to deal with this matter in connection with this Bill, as it was for the interest of the Army that the Office should be placed upon a permanent and more satisfactory footing.

Colonel STANLEY said, that, as he had been so personally referred to in connection with this matter, he hoped the Committee might allow him to say a few words, although he would only speak in very general terms. With regard to the clause before the Committee, he thought his hon. and learned Friend the Solicitor General had already pointed out what were the objections to it. But the hon. Gentleman the Member for Dundee (Mr. E. Jenkins) had spoken of this Office rather more strongly in connection with other clauses which he had down on the Paper, and had pressed him for his opinion. He felt somewhat in a difficulty; because he did not think, to begin with, that such a subject found its place very conveniently in the Bill, relating, as it did, to an entire change in the conditions of a high Office. However, as the hon. Gentleman had asked for his opinion, he was bound to give, so far as he could, his personal opinion for what it was worth. It would be understood, he hoped, that in all these matters they spoke impersonally, and entirely in relation to the Office. As to what had been said about making the Judge Advocate General a Judge, he agreed with his hon. and learned Friend the Solicitor General that there would be a great deal of difficulty in reversing the traditions of that Office. But, what was more, he was not at all sure that, in itself, that would be entirely a change for the better; because as long as the Judge Advocate General continued as a Law Adviser to the military authorities, it seemed to him that the placing him in the position of a Judge would be very inconsistent with the position of responsibility which the Secretary of State, as representative of the military authority, had to assume in that House. It must be borne in mind that the Judge Advocate General's Office was one of greater prominence even than it was at the present time under a former state of things, in which the Secretary at War was not a Secretary of State directly responsible for the whole administration of the War Department. The Judge Advocate General represented, as he might say, the civil side of questions connected with military law in that House, at a time when there was no Secretary of State, and the Secretary at War discharged somewhat different functions. He then was, as it were, civil representative in respect of military law, and the civil adviser of the Commander-in-Chief, and, through him, of the Sovereign. With the appointment of Secretary of State, that position became somewhat changed. Speaking for himself, he must say that he should hail with pleasure any proposal which he thought would strengthen the Office of his right hon. and learned Friend. He should be glad to see the legal element strengthened, if it was not at present strong enough; and he thought his right hon. and learned Friend himself had shown his appreciation of that feeling, inasmuch as one of the officers whom he had lately appointed to the position of Judge Advocate General was a barrister. Then, there was another point raised as to whether it should be a permanent Office in the sense that a Judge's office was permanent, or whether it should be an Office the occupant of which was liable to change from time to time. He must point out that if they were to make such a change in the Office as to place it on the same tenure as that of the Judges, they would entirely reverse the whole traditions of the Office; and the person so appointed could no longer act, as at present, as the Law Adviser on military matters of the Secretary of State. He would be placed in an entirely different position. It seemed to him that if the Judge Advocate General was to be the adviser of the Secretary of State, and to act with him, it became almost a matter of necessity that the Office should be subjected to changes as at the present time. He hoped that the hon. Gentleman would recognize the difficulties which were before them in this matter, and would not press the clause. He would venture to make a further appeal to him not to press the other matters to which he had referred upon the attention of the Committee at the present time; but to allow him an opportunity of taking them into practical consideration, in conjunction with his right hon. and learned Friend the Judge Advocate General.

MR. E. JENKINS said, that although, undoubtedly, the discussion had extended over rather a wide space, yet the question immediately before the Committee was simply an alteration in the law as it at present existed. He wanted to know whether it was true that any finding or sentence was now held to be valid in any respect in which the Judge Advocate General had said it was not in conformity with law? The hon. and learned Solicitor General—he would forgive him for saying so, because he did not wish to imply any failure on his part to apprehend the ordinary meaning of language—had given a wider interpretation to this clause than he (Mr. E. Jenkins) intended. He thought that if the hon. and learned Gentleman looked at it, he would see that it simply asserted in the Bill what was, practically, the case at present. His object was to introduce into this Bill some recognition, on the part of Parliament, of the responsible Office of Judge Advocate General; and if this were granted, he then might listen to the appeal of the right hon. and gallant Gentleman. So far as the clause which he had proposed was concerned, he did not see, either from the remarks of the hon. and learned Solicitor General, or those of the right hon. and gallant Gentleman, why it should not be passed by the Committee.

Clause *negatived.*

MR. PARNELL said, he had been accidentally shut out, and, therefore, he was unable to return to the House in time to take up his next clause. He, however, begged now to move, in page 67, after Clause 126, to insert the following clause:—

(Commentary on proceedings during trial.)

"The published commentary by any person on the proceedings of a court martial during the trial or before the finding of the verdict and sentence shall be held to be contempt of such court."

He did not know whether this clause was so clearly drawn that it expressed his meaning; but he would tell the Committee what it was he wished to do. He wished that proceedings before courts martial should be exempted from commentary, in the same way that proceedings in civil courts were exempted from comment; so that the case of the accused person should not be prejudiced by remarks in the Press. At present, when any case was being tried by a court martial, all persons passed judgment on it, and very often this was done with the utmost freedom, and the case was, practically, withdrawn from the court, and became a mere matter of discussion and decision outside. He thought this was a point of considerable weakness in the military procedure, which ought to be remedied by the present Act; and it was with the intention of remedying this weakness that he brought forward this clause. It might be that the clause did not fully express his meaning. It would be quite open to the hon. and learned Attorney General or Solicitor General to amend it in such a way as to make it answer the purpose.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) thought that the Amendment, as at present moved by the hon. Gentleman, was too wide, and would comprehend more than he intended. He thought that the introduction of some words modifying the clause would bring it within the range of the Bill, and so that his right hon. and gallant Friend might accept it

MR. PARNELL said, he would be willing to withdraw the clause; but what he would suggest was that the hon. and learned Gentleman would kindly take the trouble to draft a clause himself.

SIR HENRY JAMES said, that he had no doubt whatever that his hon. and learned Friend would take that course.

Amendment, by leave, *withdrawn.*

MR. PARNELL moved to insert the following clause:—

(Prisons in India and Colonies.)

"No soldiers shall be confined, in prisons other than military prisons, in India and the Colonies where the rules for the government and management of such prisons differ from those made by the Governor General of India and a Secretary of State in the case of India and the Colonies respectively."

He should be willing to insert an Amendment in this clause if the Government agreed in principle to this—that no soldier should be confined longer than was absolutely necessary in other than military prisons.

Clause *agreed to.*

MR. PARNELL then moved to amend the clause by inserting, after the word "confined," the words "longer than is absolutely necessary."

Amendment *agreed to.*

Clause, as amended, *added* to the Bill.

MR. PARNELL moved, in page 69, after Clause 131, to insert the following clause:—

(Duration of penal diet.)

"No prisoner shall be sentenced to more than twenty-four hours' penal diet for breach of prison discipline without the order of an authority independent of the governor of the prison."

He would remind the Committee that the Home Secretary held that, in spite of the provisions of the Prisons Act of 1877, a gaoler was still entitled to confine a prisoner in his cell for three days for a breach of discipline. Now, he (Mr. Parnell) had, in Committee on that Bill of 1877, introduced an Amendment that solitary confinement in the punishment cell by order of the gaoler should be confined to 24 hours. He intended, by that clause, to prohibit the gaoler from sentencing a prisoner for breach of discipline to more than 24 hours' imprisonment. Unfortunately, it appeared, according to the interpretation put on that clause, that there was nothing to prevent a gaoler from sentencing a prisoner to more than 24 hours' solitary confinement, provided it was in his own cell, and not in the punishment cell. This sentence of three days' confinement in the prisoner's own cell could be accompanied by penal diet—bread and water. The Committee would bear in mind the distinction which he made between the prisoner's own cell and the punishment cell. Now, the punishment cells were hardly ever used; they were not used because it was found that they did not comply with the provisions of the Act of 1865. It was provided by that Act that the prison authorities should provide — that was, build — a suitable punishment cell. Well, the cells were built; but they were found not suited for the purpose. They were dark, badly-ventilated, and, in many cases, damp, and altogether such cruel places that, instead of confining prisoners in these penal cells, the practice grew up of confining them in their own cells. Now, his contention was that if they confined the prisoner upon bread and water in his own cell, that cell became a punishment cell, and, therefore, that it should be included in the sections of the Prisons' Act of 1877. But the Home Secretary took another view. He considered, as he had said, that the gaolers had power under that Act to confine prisoners in their own cells for more than 24 hours. Now, a great deal of mischief had resulted from this practice of confining prisoners in their own cells without the orders of Visiting Justices, or some independent authority. He objected altogether to gaolers having the power of confining a prisoner in a cell which was, for all practical purposes, a punishment cell for more than 24 hours. The whole experience that they had had of prison punishment and prison discipline showed that gaolers could not be intrusted with this indiscriminate power of ordinary bread and water diet to prisoners, and solitary confinement for breach of discipline; and that it was absolutely necessary to limit the power of the gaolers in some way or another. His attention was first drawn to this subject by the case of the political prisoners. He found it was a common practice to give men who had been sentenced for political offences terms of solitary confinement on penal diet for trifling breaches of discipline. This terrible punishment was inflicted on them at short intervals. Thus a man would have a punishment on penal diet, and he would leave the cell, and in a short time he would have to return to it again for another trifling breach of discipline. The result of this course was soon apparent. It had the strongest and worst effect upon the health of the prisoner, which speedily broke down under it. They had, for instance, the other day, the case of the prisoner Nolan, who died in Clerkenwell, where the gaoler had indiscriminate power of sentencing prisoners to this penal diet, resulting in death in this case. The Coroner's Jury testified that the prisoner Nolan died in consequence of the treatment he received in prison. That treatment consisted of repeated punishments in the shape of confinements to his cell on bread and water diet. He would illustrate how a man might bring himself under this punishment, and how difficult—in fact, how utterly impossible, it was for him to avoid being brought under solitary confinement and penal diet. The new comer—a prisoner, that was, who had not been convicted before—if he could not at once pick his 3 lbs. of oakum, he was ordered to this solitary confinement and penal diet; and the result was that, weakened and reduced, he would be still less able to complete that task than when he first entered on it. Now, 3 lbs. of oakum picking was a very severe task; but to old hands at the work it was easily got over, so that the effect was this. The young soldier who had committed some not very serious offence in his regiment would find that the hardened criminal, through his greater proficiency in oakum picking, would gain all the advantages of the situation, while he was relegated to the terrible ordeal of penal diet. Now, what was this penal diet? It was 16 ozs. of bread per day, with as much water as a man could drink. The man would eat his 16 ozs. at once, and this would be all he would have for 24 hours. What would the effect of this be at the end of three days? A man would be much less able to go through the task; and simply because he was unable to complete that task, and though he might have no desire whatever to shirk his work, he would fail and be punished. He would fail simply because it was physically impossible for him to perform the task; and if he failed he was at once relegated to bread and water, and so gradually he was worn down, and his health completely undermined. The prisoner who entered gaol, under the circumstances which usually accompanied young soldiers, would speedily be reduced physically; and if he failed at first, which was almost certain, he was less able to succeed. Of course, under the penal ordeal which was a constant system of punishment, punishment went on until the prisoner was absolutely rendered physically incapable. This fact was shown so conclusively in many of the cases he had gone into that he did wish the Committee to come to see the question from his point of view. He believed it would not be tolerated if the Committee fully went into the circumstances. The practice was a most pernicious one, and he hoped the Committee would put a stop to it. The practice of repeatedly punishing prisoners was a cruel and stupid one. He wished the power abolished of sentencing a man to more than 24 hours. He wanted the gaolers entirely deprived of the power which they now possessed, and that power handed over to independent authorities.

Mr. ASSHETON CROSS said, he certainly sympathized with the object the hon. Member had in view. He understood the hon. Member to wish to prevent what he called the cruel punishment of prisoners in gaol, charged with breaches of prison rules; but when persons were guilty of breaches of discipline it was really very hard to know what was to be done with them. What position were they in now? Some persons objected to prisoners being flogged; others objected to prisoners being put to hard work; others objected to their being put on penal diet. It was difficult to know what to do to please everybody. The hon. Member was wrong in saying that he had paid more attention to this subject than anyone else, for he could assure the hon. Gentleman that he had given very great attention to this subject. By the rules framed in the Prisons Act of 1877, the gaoler was not allowed to inflict on the prisoner confinement to his cell beyond a certain specified period. It had been pressed upon him by a body of Visiting Justices, who were most strongly opposed to the Act of 1877, that the rules which he had made on that subject unduly weakened the hands of the governor of the gaol, and that prisoners who committed breaches of prison discipline must be punished at once, if discipline was to be maintained in the prison. With regard to the case of Nolan, he must remind the Committee that there was a most independent inquiry in that case, and that those who conducted that inquiry came to an entirely different conclusion from that arrived at by the jury. So far as the next Amendment of the hon. Member was concerned—he meant the classification of prisoners—he had no objection whatever to it, but had always been of opinion that such classification should be made; and a Committee had already been appointed by the War Office in connection with the subject. He hoped the Committee would not enter at that period, in any lengthened way, on a discussion of that subject.

Mr. O'SULLIVAN said, he thought this was a most important question, and he hoped the Committee would bear in mind that these gaolers were not men who ought to be trusted with such enormous powers as were given to them. He had known cases where gaolers had punished prisoners with very great severity. As a general rule, the gaolers were a hardened class that had to do with a very bad class of men; and so, in time, they became hardened to the punishment, which, with the greatest ease, they were ready to inflict upon those placed under their power. He had himself moved, some six weeks ago, for a Return showing the punishments inflicted, in one particular gaol by a particular individual, and showing, also, the number of persons who had been driven mad by the punishments inflicted by that particular gaoler. This case occurred in his own county; and it would show to the House what had been done by the cruelty and hardships inflicted on prisoners by this gaoler. He thought it was very wrong to give the gaoler power to confine a man for 72 hours on bread and water. It was said, what were they to do with prisoners, then, who committed these breaches of discipline? He said that the Amendment gave power to give 24 hours' penal diet and solitary confinement; and he thought that was quite sufficient power to place in the hands of any man. He could not see any objection to this Amendment. He regretted, exceedingly, that he had not his Return now, to place before the Committee the result of the treatment given in gaols by the gaolers. He trusted that the Government would not refuse to accede to this humane clause.

MR. PARNELL said, he did not think there would be any use in dividing the Committee; but he should return to this question, either on the Estimates or at any other possible opportunity, until he had brought the Home Secretary round to his own way of thinking. He had looked into the Prisons Acts of 1865 and 1867, and in none of the sections was there any authority to a gaoler to confine a prisoner in his own cell for three days. The Act authorized a gaoler to confine a prisoner in a penal cell for three days; but there had never been the power to confine a prisoner in his own cell. He begged leave to withdraw the clause.

Clause, by leave, *withdrawn.*

MR. PARNELL moved, in page 69, after Clause 131, to insert the following clause:—

(Classification of prisoners.)

"Whereas it is expedient that a clear difference should be made between the treatment of prisoners convicted of breaches of discipline and the treatment of prisoners convicted of offences of an immoral, dishonest, shameful, or criminal character, a Secretary of State shall, from time to time, make rules for the classification and treatment of such prisoners."

Clause *agreed to.*

MAJOR O'BEIRNE moved, in page 83, after Clause 150, to insert the following clause:—

(Purchase-money not to be forfeited unless court so directs.)

"An officer who joined the Army before the abolition of purchase, when sentenced by court martial to be cashiered or dismissed the Service, shall not forfeit any portion of any sum of money he may be entitled to receive from the Army Purchase Commissioners, unless the sentence of the court otherwise directs."

The hon. and gallant Gentleman said, that he had put this Amendment upon the Paper because there were two classes of officers now in the Army—the purchase officer and the non-purchase officer. At the present time the purchase officers numbered 2,624, or about one-half of the total number of competent officers in the Army. If a purchase officer were tried by a court martial, he was not only sentenced to be cashiered, but he was also made to forfeit the purchase money of his commission. The value of that commission might be from £1,000 to £8,400. This Bill bore very unfairly upon purchase officers; no soldier could be tried twice for the same offence; but the purchase officers were worse off than soldiers, for they were subject to two penalties. When Lord Cardwell introduced into the House the measure abolishing purchase, he stated that the purchase officers would be placed in no worse position by the abolition of purchase than they were in before. But they were now in a much worse position than before, for they were punished twice for the same offence. He did not see how the right hon. and gallant Gentleman could refuse to accept his Amendment.

New Clause (*Major O'Beirne*) *brought up*, and read the first time.

Motion made, and Question proposed, "That the Clause be read a second time."

COLONEL STANLEY did not think that the Committee would be justified in assenting to the Amendment, for it would produce an entire change in the position of officers, and he did not think that the change ought to be made. At the present time, an officer who had purchased his commission had repaid to him what he had invested by the advantage he obtained in reaching a superior rank before other officers would do so. He had paid to him the regulation, or over-regulation, value of his commission for the advantages he had received; and it seemed to him that it would be a strongly disadvantageous step if they were to say that such officers, although cashiered or dismissed the Service, should be repaid previously. It would be placing the non-purchase officer in a very disadvantageous position. What was laid down by Lord Cardwell was that the purchase officers should be in as good a position after the passing of the Act as they were before. When an officer was cashiered or dismissed it was always known that his commission was not saleable. No officer would have given, or would have been allowed to give, any money for that commission, and it would have been allowed to go to the next senior officer without purchase. So far, therefore, as concerned the position of an officer sentenced to be cashiered or dismissed, he would stand, since the abolition of purchase, as well as before, disentitled to receive back any portion of his purchase money. The hon. and gallant

Member for Brighton (General Shute) had put a question to him with regard to this matter; and, in reply, he had stated that if a purchase officer were cashiered or dismissed the sentence *ipso facto* caused forfeiture of his purchase money. He did not think it right that a purchase officer should be placed in a better position than a non-purchase officer. The money he had paid had been for the advantages which he had enjoyed, and for those reasons he could not accept the Amendment.

Captain MILNE-HOME said, that the clause proposed by the hon. and gallant Member for Leitrim was almost the same as one that he proposed at an earlier stage of the Bill, but which he withdrew on an appeal from the right hon. and gallant Gentleman the Secretary of State for War. His Amendment received considerable support from all sides of the House, and it was supported by his hon. and gallant Friend the Member for East Aberdeenshire (Sir Alexander Gordon), and the hon. and gallant Member for Brighton (General Shute). Subsequently, a question was asked with regard to the matter, and it was stated by the Secretary of State for War that Her Majesty had power to direct the payment of the money to which he would otherwise be entitled from the Army Purchase Commissioners to any purchase officer who had been sentenced to be cashiered or dismissed the Service by court martial. It was, however, pointed out that when sentenced to be dismissed or cashiered a purchase officer *ipso facto* forfeited the money to which he would have been entitled had he retired by his own free will. As the hon. and gallant Member for Leitrim had placed this clause upon the Paper, he should give it his support. He thought that it was quite right that it should be within the power of a court martial to direct or to prevent a forfeiture of the purchase money, and not to leave it to be forfeited, as a matter of course. He hoped that the clause would be agreed to.

Mr. OTWAY did not think the answer of the right hon. and gallant Gentleman to this Amendment was perfectly satisfactory. He wished to support the Amendment which had been brought forward. How could a purchase and a non-purchase officer be said to be on an equality under the present system? Suppose two officers were tried for the same offence at the same time, a court martial might sentence them both to be cashiered. The one officer, who had paid nothing for his commission, lost nothing; but the purchase officer forfeited a considerable sum of money. He did not think that could be called justice. The right hon. and gallant Gentleman said that an officer who had been so treated had obviously derived some benefit from his purchase. That argument was answered during the discussion on the purchase. He remembered pointing out that the better plan would be for the Government to assess the loss or gain which the officer who had purchased his commission had really obtained. If they took the case of a man who derived no benefit from his purchase, the argument of his right hon. and gallant Friend fell to the ground. What advantage did an ensign obtain over any other officer? Supposing he paid £450 for his commission, and was cashiered, he would lose the money he had invested without having gained any advantage. That seemed to be an unanswerable argument. He must say that it was hardly likely that hon. Gentlemen opposite, who were usually so opposed to their views on that side of the House, should join with them in supporting the Amendment, unless they had a very strong opinion on the matter. Though with every desire to promote the Bill, he felt bound, in justice, to support the Amendment.

Colonel ALEXANDER observed, that there was a certain difference between purchase and non-purchase officers existing prior to the abolition of purchase in 1871. There were always a certain number of officers who obtained promotion without purchase. The same conditions were in existence before the abolition of purchase as at present with respect to forfeiture of purchase money.

General SHUTE said, that there was an unquestionable difference between the position of officers who had purchased and those who had not. A purchase officer had his money, as it were, staked on his life and military conduct —that was to say, it would only be forfeited by death or his being dismissed the Service by the sentence of a court martial, and the advantage he gained by having expended this money was that formerly he obtained his promotion so much the quicker. The man who got his promotion without purchase was years in doing it under the old system; but now the purchase officer had no advantage whatever. Supposing there were two junior captains in one regiment, one of whom was a purchase officer, and the next below him was a non-purchase officer. The non-purchase officer would for the last eight years have obtained promotion quite as quickly as his comrade, who had paid for his position. Supposing, then, that these two captains were cashiered for the same offence, the one having purchased one or two of his earlier steps would, from the fact of his being dismissed the Service, be fined the value of them, whilst the other could not be subjected to any pecuniary penalty. He was in favour of the Amendment to place a discretionary power, as to the forfeiture of purchase money, in the hands of a court martial.

MR. HARDCASTLE said, that perhaps it might be impertinent for a civilian to address any argument to the Committee upon such a subject as this; but it did appear to him that there was a clear distinction between an officer who had not purchased his commission, but had obtained it by promotion before the abolition of purchase, and a non-purchase officer at the present moment. Before the abolition of purchase an officer who had obtained his commission by promotion was possessed of a saleable article, and was in the same position as an officer who had purchased his commission. Now, a non-purchase officer lost not the value of his commission—for that was no longer saleable—but the purchase officer, who was entitled to compensation for the value of his commission, would lose that as well as the commission, and thus suffered a double punishment.

MAJOR O'BEIRNE remarked, that the right hon. and gallant Gentleman the Secretary of State for War had told them nothing of the disadvantages to which purchase officers had been subjected since the abolition of purchase. They were now obliged to accept compulsory retirement, and had lost many advantages.

CAPTAIN MILNE-HOME wished to bring one single point to the notice of the Committee. The Bill which they were now discussing introduced offences, more or less venial, for which officers might be cashiered or dismissed the Service. He was sure that the Committee would support him when he said that this might bear unfairly upon purchase officers.

Question put.

The Committee *divided:*—Ayes 45; Noes 135: Majority 90.—(Div. List, No. 171.)

MAJOR NOLAN said, that he had two Amendments on the Paper; he did not propose to move the first, but the second he should move. Clause 152 gave power to move military offenders from one place to another, and to keep them in the place to which they were removed. It appeared to him that that clause, to a certain extent, set a dangerous precedent. Under that clause people might fancy that they would be justified in moving people from one district to another for an ulterior purpose. For instance, under Clause 152 persons might be moved from a district in which there was no martial law to a district where martial law was in force. In Gordon's case, a Member of the Kingston Legislature was taken into a district where martial law existed from one where it was not in force. By that means he was put to death, and the Lord Chief Justice of England had said that that act was something very like murder. He begged to move, after Clause 152, to insert the following clause:—

(No person to be subject to any penalties other than those to which he would be liable if tried in the place where offence was committed.)

"No person shall be subject to any punishment or penalties other than those which could have been inflicted if he had been tried in the place where the offence was committed."

Clause *agreed to.*

MAJOR NOLAN proposed to insert, after the word "penalties" in the last clause, "under the provisions of this Act."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

COLONEL STANLEY moved, in page 109, before First Schedule, insert Schedule—

> "Offences punishable with corporal punishment on active service.
>
> "All offences under this Act punishable with death."

Amendment *agreed to.*

First Schedule *agreed to.*

Colonel STANLEY moved, in Schedule 2, page 110, line 26, to leave out all the words after the word "horse."

Amendment *agreed to.*

Major NOLAN said, he had an Amendment on the 2nd Schedule.

Colonel STANLEY said, he had moved to leave out the second part of the Schedule, as he intended to place it in an annual Bill.

Major NOLAN wished to know where they were, as it was impossible to tell what was going on in the Benches where he sat? He wanted to know what course the Government proposed to take with reference to the billeting clauses, as to which he had an Amendment?

The CHAIRMAN said, that an Amendment proposed to the 2nd Schedule by the right hon. and gallant Gentleman the Secretary of State for War had been agreed to, and the second part of the 2nd Schedule had been struck out. The Question, then, before the Committee was, that the 2nd Schedule, as amended, should be the 2nd Schedule of the Bill.

Major NOLAN: I wish to point out that the Government have been dodging this in an ingenious way.

The CHAIRMAN said, that the hon. Member must see that the expression he had used was one which exceeded the rules of debate.

Major NOLAN said, that he brought forward this question three years ago. Lord Cranbrook then declared that if he did not raise the question the Government would themselves bring it forward. During the course of this Bill he had four times asked the right hon. and gallant Gentleman the Secretary of State for War to appoint a Proprietary Committee. That was the only way of dealing with it. Such a Committee could discuss the whole question of prices. The last time he mentioned it the Secretary of State said it was unnecessary, because it could be moved in the Act which was only to be put in force by another Act. It seemed that now the Government had taken the matter out of this Act with a view of putting it into an annual Act, so that he would not be able to bring it on. The Government were not behaving with ordinary candour over this matter. If a declaration were not made, on the part of the Government, that this matter should go before a Proprietary Committee, he should feel it his duty to propose to report Progress.

Colonel STANLEY said, that nothing approaching to an undertaking had been given in this matter. The hon. and gallant Gentleman had raised the question very fairly at the earlier stages of the Bill. They did not then think that it was advisable to put the prices into the Bill, but considered it would be more convenient to place them in the Schedule. He was asked whether it should be made an Instruction to the Committee to consider the question of prices. Ultimately, it was thought better to take these prices from the Schedule of the Annual Bill, so that Parliament might have control over them from time to time. Therefore, he had proposed to strike out the second part of Schedule 2; and, at the proper time, he would move that it should be an Instruction to the Committee to fix the prices.

Major NOLAN said, that the remarks of the right hon. and gallant Gentleman had changed the whole matter.

Second Schedule, as amended, *agreed to.*

Schedule 3 *agreed to.*

Schedule 4 *agreed to.*

Colonel STANLEY moved, that the new Schedule be read a second time.

Mr. OTWAY said, that as the Schedule dealt with corporal punishment, he should like to know whether the right hon. and gallant Gentleman was prepared to accept his Amendment?

The CHAIRMAN said, that the Amendment which stood in the name of the hon. Member for Rochester did not appear to him to be in Order upon the new Schedule. The proposed new Schedule was a list of those offences which, by Clause 44, were punishable with death, and for these the Schedule now before the Committee provided corporal punishment. The hon. Member would be in Order in moving any exception to the list; but he would not now be in Order in moving an Amendment upon the enacting part of the Bill. He wished to point out to the hon. Member that an Amendment to this Schedule must be either by way of exception or addition to.

MR. OTWAY would bow to the decision of the Chair. It appeared to him, however, that his Amendment came within the terms of the ruling.

COLONEL STANLEY said, that on the suggestion of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) and the hon. and learned Member for Oxford (Sir William Harcourt), it had been agreed to consider the whole subject of corporal punishment upon Report.

MR. OTWAY admitted that when he put down his Amendment it was for the purpose of raising the question of flogging. Now this question had been so much discussed, he did think this Amendment worthy of consideration. Surely it was not desirable that this punishment should be inflicted upon soldiers by their comrades. He had, however, no desire to prolong the discussion.

Schedule *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Thursday,* and to be *printed.* [Bill 245.]

COLONEL STANLEY said, that arrangements were made by which the Bill would be printed, and would be in the hands of hon. Members to-morrow (Wednesday morning). If it was not possible to deliver the Schedules with the Bill, there would be a second delivery, both at the House and at the residences of hon. Members.

NATIONAL SCHOOL TEACHERS (IRELAND) BILL.

On Motion of Mr. JAMES LOWTHER, Bill for improving the position of the Teachers of National Schools in Ireland, *ordered* to be brought in by Mr. JAMES LOWTHER and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 246.]

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Wednesday, 16th July, 1879.

MINUTES.]—SELECT COMMITTEE—Mr. Goffin's Certificate, *appointed* and *nominated.*

Report—Privilege (Tower High Level Bridge, Metropolis) [No. 294].

PUBLIC BILLS—*Resolution in Committee—Ordered—First Reading*—Passenger Vessels Licensing (Scotland) * [247].

Second Reading—Bankruptcy Law Amendment [114], *debate adjourned.*

Third Reading—Industrial Schools (Powers of School Boards) * [242]; Volunteer Corps (Ireland) * [200]; Commons Act (1876) Amendment * [233], and *passed.*

Withdrawn—Joint Stock Banks (Accounts) * [23]; Animal Vaccination * [131]; Supreme Court of Judicature (District Courts) * [100].

NOTICE OF QUESTION.

REGINA *v.* ORTON.

NOTICE OF QUESTION.

DR. KENEALY gave Notice that, to-morrow, he would ask the Secretary of State for the Home Department, Whether, considering the evidence that has been brought to his notice since the conviction of the claimant to the Tichborne estates in February 1874; and the fact that, according to usage, the sentence passed upon him for swearing that he was not Arthur Orton would expire on the 10th of August next; considering, also, the grave legal doubts that the Court had power to give more than one sentence for a supposed perjury, and that the jury had made certain statements as to the circumstances under which they found their verdict, he will advise Her Majesty to liberate the prisoner on the 10th of August next; and, if not, whether he will forthwith investigate the numerous matters to which his attention has been called in support of the identity of the claimant with Roger Tichborne; whether it was true that Her Majesty's Ministers, or any of them, advised the Queen to send a telegram of sympathy to Lady Radcliffe, congratulating her upon the result of the trial; and whether, as a matter of fact, the trial has not cost the country more than a quarter of a million of money?

Mr. SPEAKER: I have to point out to the hon. Member that it appears to me that parts of his Notice involve matters of argument, and, so far, it is irregular. I am not prepared at this moment to state in what shape the Question ought to be put.

Dr. KENEALY: When my attention was called to this objection by one of the Clerks of the House I most carefully considered the Question, and did what I could to illuminate my mind from Sir Erskine May's work; but I have been unable to find anything contrary to the Rules of the House in my Question.

ORDER OF THE DAY.

BANKRUPTCY LAW AMENDMENT BILL.

[*Lords.*]—[Bill 114.]

(*Mr. Attorney General.*)

SECOND READING.

Order for Second Reading read.

The ATTORNEY GENERAL (Sir John Holker), in rising to move that the Bill be now read a second time, said: Sir, a Bill to consolidate and amend the Law of Bankruptcy has been passed through the other House of Parliament, and I now rise for the purpose of asking this House to consent to the measure being read a second time. As the House is aware, a Bill on the subject of Bankruptcy was introduced in the House of Lords in 1876, and again in 1877. In the latter year, the measure was approved by the noble Lords, and sent down to this House, where it was read a second time, and, as far as I could judge from the discussion which arose, gave almost universal satisfaction. Owing to causes, however, the nature of which I need not explain, the Bill was not proceeded with by the Government. Since the Session of 1877 the subject has been further carefully investigated and considered, and several alterations have been made in the original Bill—I mean the Bill of 1877—which I believe will be found great improvements. The Bill which I ask leave to read a second time is composed of the original measure, with the alterations to which I have referred. There have been several Acts within comparatively recent times designed to alter and improve the Law of Bankruptcy; but it seems an unfortunate subject, because measure after measure has been attempted, and measure after measure has failed to remedy the evils complained of. I think I need only refer to two of them—the Act of 1861, and the Act of 1869. Prior to the Act of 1861 the system which prevailed, and which had prevailed for some time, was what may be called essentially a system of officialism. The Court of Bankruptcy and the officers of that Court had practically the control of the proceedings, and little or no power was confided to the creditors. In 1861, however, it was thought expedient to make a considerable alteration, and, accordingly, by a Bill introduced by Sir Richard Bethell, then Attorney General, a much greater amount of power was conferred upon the creditors than they had been invested with for some time previously. The measure, however, was not a success, and in 1869 another Bill was brought in by Sir Robert Collier, by which the authority of creditors over the estate of the debtor was still further extended, and their powers still further increased. The Act of 1869 may, indeed, I think, be said to have completely put an end to officialism. This Act was, I consider, a carefully-prepared measure, and one which was founded upon correct principles; for it seems to me that it is only reasonable that when a man becomes bankrupt the creditors should have the right to superintend the winding-up and distribution of the estate, and also the right—within limits—to decide whether their debtor shall be wholly discharged from his liabilities. The Act of 1869, though it was much applauded for a time, was found, by experience, not to work as well as was expected—in that it did not accomplish all that was desired. The truth is, the Act would work well enough, if creditors would only condescend to give themselves a little trouble about their own affairs, and not exhibit the apathy and indifference with regard to them which they do exhibit. It seems to me that when a creditor in England—for our Scotch friends are more prudent, cautious, and canny—is informed that his debtor is unable to pay and obliged to resort to the Bankruptcy Court, he generally, I dare say, gives vent to his feelings in a few passionate exclamations, and some strong language; but having done this, he takes his ledger, writes off the amount owing as a bad debt, and pays no further attention to the matter. This supineness and apathy on the part of creditors, in my opinion, has resulted in much evil, and the administration of the Bankruptcy Law has, I regret to say, of late years became a perfect scandal. There must be something wrong when I find from the Report of the Controller in Bankruptcy that, under the existing system, the cases of compositions of the worst kind—that is, those averaging only a few pence in the pound—were ten times as many in 1878 as in 1870. Furthermore, in 1878, in the case of one-half the total number of compositions, only about 1*s.* 6*d.* in the pound was paid, and in cases of liquidations although there was a vast number of them in 1878—6,356—half the liquidating debtors gave up nothing more than as much property as would defray the expenses of carrying out the resolution to liquidate. The object of the present Bill is not in any way to depart from the principle upon which the Act of 1869 is founded, or in any way to take away the power and the control of the creditors, and to revert to any system of officialism; but the Bill is designed to introduce certain safeguards and checks which shall have the effect of preventing the evils which at present arise from the indifference of creditors, and of securing the due management and administration of the estates, and it is also intended in some other respects to place the law upon a more satisfactory footing. The first alteration in the law which is effected by the present measure, and to which I desire to draw attention, has reference to the nature of the proceedings to be instituted against a man who is unable to pay his debts. This alteration, however, as will be perceived, is not one of those to which I have alluded as having been rendered necessary by the apathy of the creditors. At present, if a man is unable to discharge the claims made against him, and a petition is presented by a creditor for the purpose of making him bankrupt, an adjudication in Bankruptcy at once takes place. Perhaps, if the debtor is a person backed by a great number of friends, or if he is not over scrupulous and does not hesitate to resort to unworthy tricks, he may avoid a declaration of Bankruptcy by resorting to a liquidation by arrangement—a gentle and gentlemanly-like process of white-washing, to which I shall presently allude. But if the debtor is not a man of this kind, although he may have fallen into misfortune through no fault of his own, and have been perfectly straightforward and honest in all his dealings, he is at once, before any opportunity of investigating his affairs, and of ascertaining what has been his conduct has been afforded, adjudicated a bankrupt. The result is, that very frequently a man who has shown himself most thoroughly honourable in all his dealings, and at whose door no particle of blame can be laid, finds himself subjected to the stigma of bankruptcy—a stigma which, however lightly it may be regarded by some, is, to the great bulk of men, an occasion of serious annoyance, and to a sensitive mind an occasion of intense suffering. Now, then, the remedy for this evil contemplated by this Bill is this. It is enacted that the first result of a petition in Bankruptcy, either by a creditor against a debtor, or by a debtor against himself—for it is proposed, under the provisions of the measure, that a debtor shall be enabled to petition against himself—shall be, that the property of the debtor shall be vested immediately in a trustee, and consequently secured for the benefit of the creditors; then, that the affairs of the debtor and his conduct shall be subjected to a searching investigation, and that pending this investigation the order for adjudication in Bankruptcy shall be provisional only. Whether the debtor will be adjudicated bankrupt or not will depend upon the result of the investigation of his affairs, and upon the opinion his creditors may be led to form of his conduct. If that opinion is favourable to the debtor, he may be discharged at once without any further proceedings; or it may be that the creditors will think it right that the debtor's affairs shall be wound up under a deed of arrangement, or that a composition be accepted. The advantage of this provision is, that it necessitates a careful consideration of the debtor's position, and prevents injustice being inflicted; but, at the same time, it at once removes from the debtor the power of dealing with his estate, and secures it at the earliest possible moment for the benefit of the whole of his creditors. Judging from some pamphlets which have been circulated, there appears to be some exception taken by a good many professional trustees, accountants, and fourth or fifth-rate solicitors outside this House to this proposal to substitute a Provisional Order for an immediate adjudication in Bankruptcy, and elaborate endeavours have been made to demonstrate that the working of the proposed system would, or might possibly, occasion some additional expense, in that it will increase the number of applications required to be made to the Court. Sir, I have given the matter much consideration, and I am convinced that it is a mere invention of the gentlemen I have referred to, and that, as a rule, no additional expense will result from the adoption of the proposal contained in the Bill; but surely it will be a great improvement, and the removal of a great injustice, to provide that a man shall not be declared a bankrupt until his creditors have had some chance of considering his conduct and of investigating his affairs; and even if it could be shown —which I deny—that this amendment of the existing law may have to be purchased at the risk of slightly increasing the cost of the proceedings in certain exceptional cases, we ought not, I think, to complain. With reference to the proposal to resort to a Provisional Order, in the first instance, that proposal has the sanction of a Committee of gentlemen of the greatest experience in Bankruptcy matters—namely, Mr. Rupert Kettle, Mr. James R. Brougham, Mr. Mansfield Parkyns, Mr. Henry Nicol, and Mr. W. Hackwood—who were, in 1875, appointed to consider the working of the Bankruptcy Act of 1869. In their Report the Committee say—

> "Proceedings in bankruptcy are now commenced by the action of an individual creditor, who, in most cases, knows nothing of his fellow creditors, nor does he act for or in concert with them. By the proceedings of such single creditor a dilatory and an expensive contest is sometimes carried on as to whether or not adjudication of bankruptcy shall be made, and the adjudication is often set aside by the action of the body of the creditors as soon as they can exercise the provisions of Section 28 of the Statute. It is reversing the proper order of events to provide that an adjudication should be made in the first instance and the conduct of the debtor be inquired into afterwards. The result of the inquiry may be, and often is, to find the debtor to be undeserving the stigma of bankruptcy which has been already cast upon him. While preventing the hasty judgment upon uncertain information by which it sometimes happens a debtor seeking liquidation is forced into bankruptcy, or, as more frequently happens, a fraudulent debtor is discharged by vote at the first meeting, we think it would be proper to preserve to the creditors the right to consider, after full and accurate information has been laid before them, the conduct of the debtor and his right to his discharge. We therefore think it desirable that the present mode of instituting proceedings, whether in bankruptcy or liquidation, should be altered so that the first order of the Court, whether upon petition of a creditor or a debtor, should be limited in its operation to the possession and administration of property, and should not in the first instance affect the personal status of the debtor, and that it should be left to a subsequent stage of the proceedings for the creditors, at a meeting to be held for that purpose, to determine whether or not the debtor should be publicly adjudicated bankrupt."

The next alteration—and I will make bold to say improvement—of the law effected by the Bill to which I think it necessary to refer, is the abolition, the entire abolition, of liquidations by arrangement. As the House is aware, under the provisions of the 125th section of the Act of 1869, which provides for liquidation by arrangement, a man who is unable to meet his engagements may summon a general meeting of his creditors practically when and where he pleases, and obtain a resolution that his affairs shall be wound up by liquidation, and not in Bankruptcy. I am not going to say that all liquidations are to be condemned; far from it. Many of them, no doubt, are conducted in a satisfactory manner. Innocent debtors obtain their release without being compelled to submit to the disgrace, or fancied disgrace, of bankruptcy, and the estates are properly distributed among the creditors; and, perhaps, I may lay down that, as a rule, liquidations would be unobjectionable if debtors were incapable of resorting to unworthy contrivances to secure the votes of the creditors and those who represent them, and if creditors would decline to allow themselves to be made use of as tools to forward the views of their debtors. Unfortunately, however, it often happens that a liquidation is only used as the means for procuring a comfortable discharge for a culpable and, may be, a fraudulent debtor; and, on the other hand, often ends in a shameful waste of his estate. The reason why this result is brought about may be ascertained without much difficulty. The debtor has power, as I have said, to convene the meeting of his creditors wherever and whenever he pleases, and it is obviously his interest to summon it at an inconvenient time, and probably at an inconvenient place. The creditors are apathetic as usual, and do not care to attend themselves, but are content to confide their votes and interests to persons whom they appoint their proxies. In the meantime the debtor and his accountant are active; they get a few friendly creditors, or perhaps persons who merely pretend to be creditors, to attend the meeting. The support of the proxy-holders is begged, or perhaps more frequently bought, and the debtor and his supporters are placed in complete command of the situation; and, being in this position, they appoint a trustee who is simply their tool, and the trustee appoints a solicitor, who is also to be a creature of the debtor. Of course, the consequence is, that whatever misconduct the debtor may have been guilty of is carefully concealed from the public. He obtains his release as a matter of course, has perhaps a considerable allowance voted to him, and then the trustee, who is, in many cases, at the same time, the accountant of the debtor, proceeds to realize the estate and to deal with it—that is to say, to transfer as much of it as he possibly can to his own pocket, and to the pockets of those in his service, and those whom he is desirous of favouring. If the creditors cannot be induced to attend to their own affairs, of course the result is, that the debtor and the debtor's friends do as they like, as I have shown. Perhaps hon. Gentlemen may ask—" How can it be that such waste of the estate is permitted?" The answer is, that under the present law, if the creditors are indifferent, there is no check upon the proceedings of the trustee, as there is no provision in the Act of 1869 for the audit of the accounts in cases of liquidation by arrangement. Now, Sir, if such cases as those which I have just described, in colours, I suspect, sadly too subdued, occurred only rarely, perhaps there would be no great necessity for complaint; but I regret to say that they happen over and over again, and have given rise to a great public scandal. The remedy which we propose for this evil is one of a very simple, but, at the same time, of a very comprehensive character. It is no half-measure, but it involves the entire sweeping away of liquidation by arrangement. It must not, however, be supposed that under the present Bill no arrangement will be admissible between a debtor and his creditors without resort to Bankruptcy. The truth is, there are very elaborate provisions for such arrangements; but these arrangements are to be effected by deeds, which may be objected to by any of the creditors, and are not to be valid until confirmed by the Court. Moreover, it will be required that the creditors shall not only give their assent to these deeds, but that they shall show their assent by affixing their signatures personally to the instrument. This will have the effect of forcing creditors to attend to their own affairs, and it will also preclude their giving assent to arrangements with which they are not thoroughly acquainted. There is another evil in the present law to which I think I ought to allude. It arises out of the enactments with respect to compositions. Under Section 126 of the Act of 1869, the creditors of a debtor unable to meet his debts may, without proceedings in Bankruptcy being resorted to, by an extraordinary resolution resolve that a composition shall be accepted. This resolution, which binds creditors who dissent, is passed and confirmed at meetings where those holding proxies for creditors can vote as well as creditors themselves. The consequence is, that compositions are constantly accepted which ought not to be accepted, and minorities are forced to submit to unfair and inadequate terms fixed, perhaps, by persons who have really no interest in the matter. Now, the Bill will remove this source of injustice, because, under it, if compositions are accepted, they must be compositions agreed upon and fixed by deed, which is not to be binding unless the Court shall be satisfied with regard to it, and, moreover, it must be a deed signed by the creditors, and not by their proxies. There is, moreover, ample opportunity given to the minority of the creditors to object to a composition which they may think unreasonable. Besides the alterations in the existing law to which I have already alluded, the Bill makes several others which are of great importance. I will not refer to them all, for time will not permit; but I must say a word on one or two. There is a provision that the accounts of all trustees, whether trustees under bankruptcies, or trustees under deeds of arrangement, shall be subject to audit and be periodically and thoroughly overhauled. Then, again, it is enacted that limits shall be put upon the charges of the trustees, and that it shall not be competent for the committee of inspection to vote any amount of remuneration or sanction any amount of expenditure they may think proper. Furthermore, it is provided that all unclaimed dividends shall be periodically paid over by the trustees in whose hands the monies may be to persons duly appointed to collect the same on behalf of the Crown. Under the present law, these sums, often very large, and amounting probably in the aggregate to some millions, remain in the hands of the trustees, who, of course, are not particularly anxious to hand them over to anyone, or to find out the persons who are entitled to them. Now, these sums would be paid to the Government, and taken for the general good of the community, of course making due provision for their being paid over to the persons entitled on the claim being proved. In that way, they would not be left as now in the pockets of persons who have no possible claim to them. Again, there is a clause in the Bill which enlarges the area of the district of the London Bankruptcy Court; and with regard to that Court itself, there is also an important alteration, which I will refer to very briefly. Under the Act of 1869 there was a Judge appointed called the Chief Judge in Bankruptcy, and it was enacted that he should preside over the London Bankruptcy Court. Now, without in the slightest degree wishing to cast any reflection upon the Judge who holds that Office, I wish to point out that the duties of that Office have been carried out in a way which can scarcely have been contemplated by the Legislature. I should imagine that it was the intention of the Legislature that the Chief Judge was really to be the Judge by whom all questions of importance were to be heard and decided. In practice, however, this has not been done, but the Chief Judge in Bankruptcy has delegated his powers to the Registrars; and now he transacts only a very limited amount of original business, but occupies such portion of his time as is devoted to bankruptcy work in hearing appeals from the decisions of those Registrars, or from the County Courts, which are the provincial Courts of Bankruptcy. That system has been the subject of much complaint from the commercial community, and a provision has been inserted in the Bill by which the practice is not to prevail any longer; but the Chief Judge in Bankruptcy is to be under an obligation to dispose of all business of importance, whether original or appellate. Moreover, it is proposed that the London Bankruptcy Court shall be made a branch of the High Court of Justice, and the Judge will, therefore, be a Judge of the High Court. Provisions are also inserted in the Bill for the prosecution and punishment of debtors who are guilty of certain specified offences, such as the failure to disclose the estate, reckless trading, and the want of proper books of accounts. A provision is also made for the suspension of the debtor's order of discharge. These, then, are the main provisions of the measure to which I will ask the House to give a second reading. I have, in conclusion, only a word or two to say respecting the Notices of Opposition which I observe appear upon the Paper with reference to the measure. I find to my dismay that my hon. and learned Friend the Member for Dewsbury (Mr. Serjeant Simon) moves its rejection. I do not deny that I was prepared to meet with a certain amount of opposition from those interested in maintaining the present state of things, from trustees, from accountants, and those who were likely to be appointed trustees, as well as from fourth or fifth-rate solicitors, who have fattened upon the system and the lucrative spoil it yields; but I certainly was not prepared to have seen a Notice of Opposition from my hon. and learned Friend, whose sole object in everything he says and does is to advance and secure the interests of the Commonwealth. But I have discovered that my hon. and learned Friend is possessed with a notion which compels him to take his present course. I know my hon. and learned Friend is beyond any suspicion of opposing the Bill from motives of the kind to which I have referred, and I can only suppose that he is going to oppose the measure on grounds which he has before expressed in regard to the existence of any Bankruptcy Law at all. My hon. and learned Friend appears to think that a Bankruptcy Law is altogether a mistake, and that a man should be made to retain his liabilities to the end of his life, or until he has discharged them—in fact, that a man should not be allowed to resume trading until he had paid his debts. I can scarcely think such a view will be accepted by the House. I believe it is necessary to have some Bankruptcy Law, and I hope, if the House should come to that conclusion, my hon. and learned Friend will agree that the present Bill is the best which can be devised. The next and only other Notice on the Paper referring to the Bill is a Notice of the hon. Member for Kendal (Mr. Whitwell) to refer the Bill to a Select Committee—a desire which I believe is shared in by the hon. Member for Liverpool (Mr. Rathbone). My anxiety is that the Bill should be passed; and, if I were not hampered and embarrassed by that anxiety, I would willingly say, by all means let the matter go before a Select Committee. But I think it probable that such a course would only lead to a protracted inquiry, for in a Bill of this kind, no doubt, in a Select Committee each Member of the Committee would have a chance of airing his own particular crotchet, and perhaps of getting it accepted; but would the House accept the decision of the Committee and agree that it should be binding? I think the House would do no such thing, and, therefore, I am altogether against a Select Committee. We have had a recent instance of how the House has treated a Bill which has been referred to a Select Committee. All I can say to the hon. Gentlemen who ask for a reference to a Select Committee is that I would willingly consent to their proposal if they can give me a guarantee that the House will accept the views which that Committee may express. I beg now, Sir, to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General.*)

MR. SERJEANT SIMON, in moving, as an Amendment, that the Bill be read a second time upon that day three months, said: If I needed any justification for the course I am taking, and for the views I am about to express, I should find it in the speech we have just heard. My hon. and learned Friend (the Attorney General), referring to the legislation which has taken place on bankruptcy since 1861, said it had been unfortunate. He showed its shortcomings, and, in point of fact, the impossibility of ever passing a satisfactory measure. Sir, I will go further back than the year 1861—I will go back to the first Bankruptcy Act which we had in this country, to the reign of Henry VIII. I will show how utterly futile all attempts at bankruptcy legislation have been during the long period since Bankruptcy Law was introduced down to the present time. By the Statute of Henry VIII., bankrupts were treated and dealt with as criminals. During the following reigns of Queen Elizabeth and James I., to the time of Queen Anne, that continued to be the case. In the Statute of James I., the bankrupt was styled "the offender," and was punished accordingly. In fact, there was a Statute of James I., under which he was liable to be placed in the pillory and have one of his ears cut off. Sir Edward Coke, referring to the system of bankruptcy for which this severe legislation had been deemed necessary, spoke of the Bankruptcy Laws as an "innovation," and declared that "they had brought with them all the crimes and evils of the foreign countries from which they had been imported." From that time down to the present there have been speeches in this House, including the one we have listened to to-day, complaining of the inefficiency of bankruptcy legislation, and of the unremedied and growing evils under it. We have had denunciations of fraudulent debtors, we have heard complaints of the wrongs of creditors; and during the time of which I am speaking, from Henry VIII., down to the present reign, we have had, on an average, no less than one Bankruptcy Statute in every 10 years, and, in the course of the last 40 years, we have had alterations in the Bankruptcy Law, on an average, between every five and six years. Let me show the House, for a moment, what has taken place. In 1825 we had a Bankruptcy Law passed; there was another in 1826, another in 1831, another in 1842, another in 1844, another in 1849, another in 1861, another in 1868, and another in 1869, to say nothing of Bills which have been introduced and which have fallen through. In 1863 the Committee was appointed to which my hon. and learned Friend has referred. It made its Report in 1864, and in 1866 a Bill was introduced by the then Attorney General, Sir Roundell Palmer, which fell through, another in 1867 by Sir John Rolt, then Attorney General, which met the same fate, and then one in 1869 by Sir Robert Collier, which was passed; and during the present Parliament we have had in each of the last three years a Bankruptcy Bill introduced either in this or the other House. Now, Sir, after all these attempts at legislation, after all these futile efforts to accomplish what is, or should be, the great and simple object of a Bankruptcy Law, to collect and fairly distribute the assets of an insolvent debtor among his creditors, after all these failures — these egregious failures — of law upon law, one attempt after another to legislate, I venture to put it to the House whether we are not approaching, if we have not yet approached, the time when it will become, if it be not now, our duty to re-consider this whole system of bankruptcy legislation, and to say whether, in the interests of the commercial community, and of commercial morality, it will not be better to put an end to this special legislation altogether? Sir, this idea is not a novel one. I claim no originality for it; I have heard it discussed for many years past. I believe it is gaining ground. I believe it is the opinion of many commercial Gentlemen occupying seats in this House, and whose opinions I hope to hear presently in support of my own. It is an opinion, also, which has been pronounced by high judicial authority, both in this country and in the great commercial community on the other side of the Atlantic—I mean the United States of America. If the House will allow me, I will give them a quotation or two, to justify me, since my hon. and learned Friend has spoken of my views on the subject, as of something quite unheard of, and utterly untenable. Of course, I cannot expect to convince the House to-day, and I do not mean to divide on the question whether we should abolish the Bankruptcy Laws or not. If that had been my intention, I should have placed on the Paper the proper Notice for that purpose; but when we are called upon to consider a new Bankruptcy Law, and to enact a consolidating Statute, it is a fitting occasion, I submit, for calling attention to the subject, and I shall justify myself by the authorities from which I will now proceed to quote. Sir, so far back as Lord Eldon's time, speaking of the Bankruptcy Laws, and what seemed to be their inevitable abuse, Lord Eldon said—

> "The abuse of the Bankruptcy Law was a disgrace to the community, and it would be better at once to repeal all the Statutes than to suffer them to be applied to such purposes. There was no mercy to the estate. Nothing was less thought of than the object of the Commission. As they were frequently conducted in the country, they were little more than stock-in-trade for the Commissioners, the assignees, and the solicitor."

That was said at a time when the administration was wholly in the hands of the creditors. Sir, the same complaint is made to-day; that complaint still exists, and, as I believe, always will exist, legislate how we might. Judging from the past, we shall not be able to produce a system which will be free from Lord Eldon's strictures; and I want to know how long these attempts at legislation are to be repeated, and when we are to achieve success in bankruptcy legislation? But, Sir, in the State of New York, the question of bankruptcy was referred to the Judges. In the Report of the Chancellor and Judges of the Supreme Court of New York to the Legislature of that State, on January 2, 1819, they said—

> "Judging from their former experience, and from observation in the course of their judicial duties, they were of opinion that an insolvent law was the source of a great deal of fraud and perjury. They were apprehensive that the evil was incurable, and arose principally from the infirmity inherent in every such system. A permanent Insolvent Act made expressly for the relief of the debtor, and held up daily to his view and temptation, had a powerful tendency to render him heedless in the creation of debt and careless as to payment. It induced him to place his hopes of relief rather in contrivances for his discharge, than in increased and severe exertion to perform his duty. It held out an easy, tempting mode of procuring an absolute release to the debtor from his debts, and the system had been, and still was, and probably ever must be, from the very nature of it, productive of incalculable abuse, fraud, and perjury, and generally injurious to the public morals."

That was the view of experienced men, Judges of the Supreme Court of the commercial State of New York, to the Legislature of that State. But, says my hon. and learned Friend, to abolish Bankruptcy Laws would be to prevent a man from ever being discharged from his debts and from ever beginning again.

Why, does my hon. and learned Friend forget that down to the fifth year of the reign of Queen Anne a bankrupt was never discharged from his debts? The Statute of Anne introduced, for the first time, certificates of discharge, and then only with the consent of the creditors. It was not until the 5th and 6th of the present reign that the power of granting the certificate was taken out of the hands of the creditors and transferred to the Court. Down to this time, the bankrupt's future property remained liable for his debts, unless he received his discharge—that is, his certificate of conformity, from his creditors. My hon. and learned Friend thinks this is something cruel and very hard. Why, it was the law of England down to 1861, in the case of insolvent non-traders, whose future property, notwithstanding their discharge from prison, was, with certain slight exceptions, liable until their debts were paid in full; that is also the state of the law almost throughout the European States, in Germany, in France, in Holland, and in Belgium. A bankrupt's future property remains liable to the claims of his creditors. In Germany, in some of the States—I may mention particularly the State of Westphalia — a bankrupt is not allowed to begin business again until he has discharged all his obligations to his creditors. Again, I will go to the United States of America, and I cannot take a better example, because they are our own kith and kin, and they are a commercial people like ourselves. What is the law in the United States? In the first place, there is no general Law of Bankruptcy there. In 1800, Congress passed a law establishing a uniform system of Bankruptcy throughout the States. The Act was limited to five years, and thence to the end of the next Session; but it was repealed within the period by an Act of Congress of 9th December, 1803. In 1860, an effort was made to re-establish a uniform system; but Congress, upon Constitutional grounds, refused to pass it, as it involved the right of discharging the debtor from his contracts. At length, in 1861, an Act was passed; but on the 3rd March, 1863, it was repealed; and now each State has its own Insolvent Law. Now, what are the provisions of these laws as regards the discharge of the bankrupt from his debts, about which my hon. and learned Friend is so solicitous; in New Jersey, Delaware, Maryland, Tennessee, North and South Carolina, Georgia, Alabama, Mississippi, and Illinois, Insolvent Laws extend to debtors in prison on mesne or final process only, but they do not touch his debts; in Missouri, New Hampshire, Virginia, and Kentucky, to the relief of debtors charged in execution, not to others. In Massachusetts, New York, Connecticut, Rhode Island, Pennsylvania, Ohio, Indiana, Missouri, and Louisiana, it applies to debtors in or out of prison. In New York the debtor is discharged with the assent of two-thirds in value of his creditors on the disclosure and surrender of his property. Connecticut, Ohio, New Jersey, Pennsylvania, Illinois, North Carolina, Tennessee, Georgia, and Missouri, go only to exempting the person of the debtor, and leave his obligations in full force to be discharged out of his future acquisitions. This, I believe, is the limitation of the Insolvent Laws in a vast number of the States. Maryland by an Act of 1774, subjected to the former debts of an insolvent his future acquisition by descent, gift, service, bequest, or in a course of distribution. Therefore, Sir, it is nothing new for an insolvent debtor to remain liable for his debts, even if he go through the process of bankruptcy, or, as in the United States, or, until 1861, in this country, the Insolvent Court. I refer to these cases as an answer to my hon. and learned Friend, who seemed to recoil from the notion that if there were no Bankruptcy Law the consequences would be that a bankrupt would never be released from his debts. In Europe, and in the United States of America, as I have shown, the property of an insolvent debtor remains liable to his creditors. It was the case in this country down to 1861 as to non-traders; and it was the case down to the 5 & 6 *Vict.*, subject to the will of the creditors, in the case of bankrupt traders. Therefore, the idea is not new. We have made an alteration in this respect; but in the Act of 1869 it was provided that in case of a debtor applying to be discharged from his debts, he should pay 10*s.* in the pound, and now it is proposed by the present Bill to relax that provision by reducing the amount; but I will deal with that subject hereafter, when the Bill goes into Committee.

Bankruptcy Laws in this country, I affirm, have proved beneficial to no one except to the debtor, the assignees, or trustees, the officials of the Court, and lawyers. Tell me an instance in which a creditor has been benefited by the Bankruptcy Law? Why, Sir, complaint has been loud and continuous that the debtor, not to mention trustees and legal advisers, is the person who chiefly gets the benefit of the law, and, generally speaking, not the honest debtor. If there were no Bankruptcy Law, there would be nothing at Common Law to prevent the creditor from making terms with his debtor. There is nothing to prevent all the creditors from relieving their debtor upon such terms as they may think fit. The only reason for a special law is to enable the majority to bind the minority; and upon that point, unless it can be shown that there are high considerations of expediency rendering it necessary, it seems to me to be contrary to justice and sound economy that a majority should prevail, so as to compel a minority to yield up their rights upon a matter of private contract. The whole principle of bankruptcy legislation seems to me to be based on fallacious grounds. What are those grounds? That the uncertainties and vicissitudes of trade are such that an honest man may, through misfortune, become unable to meet his engagements; therefore, the law should step in to do—what? To relieve him from his responsibility to his creditors. Now, as I have said, no special law is necessary to enable creditors to do so, as I believe creditors have been always ready to do in the case of an honest and really unfortunate debtor. But, in the vast majority of cases, you have to deal with dishonest men, or with men whose failure has been the result of their own misconduct, and not of misfortune. The Bankruptcy Laws are an encouragement to such persons. They promote a system of reckless trading and speculation, a readiness amounting to eagerness to give, as well as to take, credit; and, as was pointed out by the Judges in their Report to the Legislature of New York, indifference on the part of debtors in regard to their obligations, and of systematic scheming in order to get rid of them. It is an encouragement to the creditor to give credit loosely, because he has a sort of a vague feeling, though it is utterly unsubstantial, that he shall, somehow, in case of disaster, be able to get something out of the wreck of his debtor's estate. As to the something, we know how small it is from the Report of the Comptroller General, lately presented to the House. It is an encouragement to the debtor to contract debt recklessly, to speculate with his creditor's means, knowing that the profit will be his and the loss his creditor's. If we had no Bankruptcy Laws, the state of things would be simply this—the creditor would look after his debtor, and would not give him too large or too extended a credit; for, when he found that payment was not forthcoming within a reasonable time, he would have recourse to his ordinary legal remedy for the recovery of his debt; and if his debtor proved fraudulent, he would take means to punish him; or if we had a law, such as they have in some Continental States, under which no bankrupt is allowed to commence business again until he had discharged his obligations, I think we should be far better off than we shall be by any enactment such as the one now proposed. Now, with regard to the present Bill, when my hon. and learned Friend was introducing it, he paid a tribute to the Bill of Sir Robert Collier, and one might have thought that my hon. and learned Friend was introducing a mere Amending Bill to cure certain defects in the present law. Instead of that, we have a Consolidation Bill, proposing important changes. When the present Bankruptcy Act was introduced, it was received with high-sounding praises on both sides of the House, and those praises came chiefly, if not exclusively, from the commercial Members. One hon. Gentleman after another got up and offered his meed of praise and congratulations to Sir Robert Collier. But, before two years were over, defects were discovered, and the Act was denounced by the very persons and the class who had been loud in their praises. That Act of 1869 was based upon the evidence of merchants, taken before the Committee of 1863, and, I believe, upon the suggestions of the Associated Chambers of Commerce. It might be said to be the offspring of the Associated Chambers. It was received, as I have said, with high-sounding praises and with congratulations from the commercial Gentlemen in this

House, and by the commercial community without. But, before two years were over, complaints were loud against it, and dissatisfaction has gone on gaining ground year by year, until, three years ago, the present Government brought in their first Bill. The hon. Gentleman opposite, the Member for Plymouth (Mr. Sampson Lloyd), the President of the Associated Chambers, has himself introduced a Bill, which, I must do him the justice to say, I infinitely prefer to the Bill of the Government. When we see what has been the course of procedure from time to time, when we see the Bill of 1869, introduced with the approval of the commercial classes, prepared, it may be said, under their auspices, yet that it has proved, according to them, an utter failure, I want to know with what hope we can look upon the present Bill? I must say I have none whatever. If this Bill passes, either in its present form, or amended, it will meet with the fate of all previous legislation on the subject. In the course of two or three years, its defects and its faults will be disclosed, and it will be as strongly condemned as the Bill of 1869; and I believe that the time will then have arrived for considering the whole question of the expediency of further legislation, and we shall have before us a Bill to repeal all Bankruptcy Laws, and to put an end to this exceptional legislation. In all legislative attempts hitherto, the object has been to do something to protect the rights of the creditor; but my hon. and learned Friend has taken new ground to-day; he takes upon himself a burden, which, it seems to me, perfectly dreadful for any man to assume—namely, to endeavour by this Bill to "force"—that was his expression—to "force" creditors to look after their interests. Why has the Act of 1869 failed? Because, as my hon. and learned Friend tells us, and as everyone else tells us—because of the indifference of creditors. I do not blame them. I do not reproach them. We know perfectly well, when men in business hear of the failure of a debtor, what the result is. They attend a meeting of creditors; they hear a statement of his affairs, and they come away; they have too much to do to look after a bad debt, and they leave the affair to trustees and accountants. It is because of this negligence of their interests by creditors that the Bankruptcy Act of 1869 has, in a great measure, been a failure. If the mercantile community would agree to spend their time in looking after bad debts, this Act would not have been a failure; but it is not to be expected that men fully laden with business engagements, and with many pressing duties, would spend their time in looking after bad debts. As my hon. and learned Friend has said, they look at their ledger and wipe it off. How, then, is it possible to coerce them, as my hon. and learned Friend proposes to do? This Bill should have been entitled, instead of a "Bankruptcy Bill," a "Bill to compel Mercantile Men to look after their Interests." I believe that no legislation can be brought to bear on men who must, in the nature of the case, leave affairs in bankruptcy in the hands of others, and who are more or less indifferent. We have laws to protect infants under age. We have laws for the protection of persons of unsound mind, incapable of managing their own affairs; but this is the first time the British Parliament has been called upon to pass a law to protect and to compel persons who are capable, perhaps the most capable of any in the community, to look after their own interests. Yet this is what my hon. and learned Friend says it is proposed to do by his Bill. With regard to the alterations in the law which it contains, as to some of them, I am sorry I cannot congratulate my hon. and learned Friend, as his Predecessor was congratulated when he introduced the Bill of 1869. From my hon. and learned Friend's opening remarks upon the present Act, it seems to me that all that was required was the introduction of a few clauses in the shape of an Amending Bill; but it has been thought right to introduce a Consolidating Bill. If it had been an attempt to find remedies for the defect of the existing Act; even if, in some instances, the attempt had failed, I would not have found fault; but the Government have gone out of their way to make alterations upon points about which we have never had complaints. My hon. and learned Friend tells us of complaints arising under the system of liquidation, of the conduct of trustees, and the manner in which estates are made away with; and he says we must find a remedy for these evils. Granted. But whoever complained of the process for adjudicating a debtor a bankrupt? Have the mercantile classes complained? Have the debtors complained? I have never heard a single complaint on the subject. Nothing but the theoretical statement and suggestions of certain persons which have been quoted to-day have we heard; and, acting upon those suggestions, Her Majesty's Government have contrived a scheme by which, if they had wished to play into the hands of the dishonest debtor, they could not have succeeded better. When a man is insolvent, when he is unable to meet his engagements, and commits an act of bankruptcy, common sense demands that, in the interest of the creditors, no time should be lost; that the sooner the adjudication is made the better; and that at this stage the creditor is the only person who should be thought of. What is the present process under the Act of 1869? As soon as a debtor commits an act of bankruptcy you serve a notice on him, and apply to the Court, and upon proving the debt and act of bankruptcy, as prescribed by the law, he is at once adjudicated a bankrupt. If he has not committed an act of bankruptcy, or if he can show reason why he should not be adjudicated, he has the opportunity of stating his case, and of preventing, or annulling, the adjudication. What is the injury to him in being called upon to do that? But, contrast this proceeding with the one proposed by the Bill. Before you can make a man a bankrupt, you are to give him such notice that if he be so minded, he has the opportunity to make away with all his property, to flee the country, and to put his creditors to all kinds of trouble of delay, and expense. He is first to have notice that you are going to take proceedings, and what then? There is to be a provisional order; the creditors are then to meet, and the majority present are to determine whether or not the debtor shall be made a bankrupt, the debtor having also the opportunity of showing why he should not. It may be more logical, as my hon. and learned Friend says, to commence in this way; but, for the practical purposes of legislation, it will defeat the object in view, which should be expedition for the protection of creditors against, in the majority of cases, the fraudulent debtor. My hon. and learned Friend says the Bill has only met with objection from creditors, trustees, and fifth-rate solicitors. Now, I do not know whether he has seen a printed paper drawn up by a gentleman who certainly cannot be designated a fifth-rate solicitor, and who has pointed out how, under this new system proposed, a man could, if dishonestly inclined, and under certain circumstances, with a skilful solicitor by his side, have the proceedings protracted and the adjudication postponed for several weeks, with no fewer than 14 meetings and adjournments in the meantime, all attended with expense to the creditors. My hon. and learned Friend says this will be under very exceptional, very remote, circumstances; but I take issue with him. In cases of bankruptcy you have constantly to deal with tricky, designing men, not honest and unfortunate persons, anxious to do the best for their creditors. There is a semi-official document I have read somewhere that says that out of 1,000 bankruptcies, only one is brought about honestly; I will not put it so severely as that; but, unquestionably, the great majority of bankrupts are men who do not fall within the category of honest or unfortunate men. In such cases, then, it is most desirable to have the proceedings conducted expeditiously; but under this Bill, with the new process proposed, I have no hesitation in saying that a dishonest man in the hands of a clever solicitor, ready to avail himself of all the technicalities and of the opportunities which will be afforded by this Bill, will be able to carry on proceedings for weeks together, before the adjudication can take place. At every step you have meetings involving applications to the Court; no time is prescribed, all is left to arrangement at the will of the debtor and his advisers. And what is the position of the absent creditors, for whom my hon. and learned Friend is so solicitous? Why, the majority present are to determine whether the estate shall be administered in bankruptcy or not? That being the case, it seems that the change in the process for adjudication is the most extraordinary ever heard of. The change is in a matter, too, about which there have been no complaints, but which has worked well, involving no unfairness to the debtor or the absent creditor, a change which alters what is of the first importance as a means to the end—namely, expedition and promptitude, where loss of time must be disastrous. This is one of the great, the cardinal changes, to be effected by the Bill; a change that can and will operate only in aid of the fraudulent debtor. I confess, when the Bill goes into Committee, I shall feel it my duty to propose to strike out all these new clauses, and leave the law as it is; so that, when a debtor has committed an act of bankruptcy, the creditor shall be able to go before the Court and procure an immediate adjudication, leaving the debtor, on whom the onus ought to lie, to set aside the adjudication, if it has been improperly made. Then, my hon. and learned Friend says, with regard to trustees, that the Bill will abolish liquidation. Now, I agree with him that the system of liquidation has worked badly, and is fraught with mischief. But that is the fault of the creditors in most cases, and, to some extent, of the present law. If my hon. and learned Friend had succeeded in removing the evils from the liquidation system I would congratulate him, for he would have rendered a great service to the commercial community; but under the Bill, in place of liquidation, we are to go back to deeds. I must say that I have been astonished at this proposal. Deeds have been prolific of litigation in the past, and no one knows this better than my hon. and learned Friend; yet deeds are to take the place of liquidation. We know from experience of former days how they gave rise to every kind of difficulty, and to technical objections without end, and yet we are to return to them. Does my hon. and learned Friend think that deeds will succeed better now than in the past? But what are the provisions about these deeds? If hon. Members would consider them, they would find that they are to enable an insolvent debtor, without consulting his creditors, but behind their backs, to frame a deed and put it before them for signature. A man is to be allowed to concoct a deed offering a certain minimum amount in the pound, prescribed by the Bill, and all he will have to do will be to get a plausible solicitor, or accountant, or a friend or relative, or a friendly creditor, to say to the creditors—"You had better sign this. Here is a certain composition. You had much better not let the estate go into Bankruptcy; if you do, you will get nothing." Thus, men will be drawn into giving their signatures. I should have thought, if liquidation was to cease and deeds be substituted, in common justice to the creditors they should have the opportunity of deciding whether they would accept a deed, what its terms should be, and what the amount of the composition. But, no; the terms are to be settled by the debtor himself, and the deed prepared beforehand, without notice to the creditors, and then they are to be told, or asked, to sign it. The whole thing is to be concocted and arranged in private, behind the back of the creditors. This is the remedy proposed in place of liquidation. All the debtor will have to do, under the deed clauses, will be to get a solicitor to draw up a deed on any terms he might chose to offer, and take the deed round to the creditors, and get it signed, without any opportunity beforehand for inquiring into the affairs of the bankrupt. If you cannot get creditors now, when meetings are required by law, to look after their own interests, I think I am not putting it too strongly, when I say that creditors will not look after them under the provisions of the Bill in the case of deeds. But the creditors are not to be required to sign the deed itself. They may sign a document, stating that they agree to the tenour or purport of the deed, and that document or form may be framed in a way so as altogether to delude the creditors, and to give them a vague or incorrect idea of the deed. The deed, moreover, is not necessarily to transfer the whole estate, but only a part; and, when signed, the Court is to confirm it. That is, it may be confirmed by the Registrar of the Court, possibly, a practising solicitor, or connected with the solicitor who has prepared the deed, or with the debtor or his friends. This is the remedy of the Government for curing the evils of liquidation. Another point I must refer to. It is one of much importance to commercial classes. By the Bill, a debtor may make himself a bankrupt upon his own petition. We have tried this before. We tried it in the Bill of 1849. It sounds very plausible to say that when a man is in difficulties, and has declared that he cannot pay 20*s*. in the pound, he should be allowed to petition the Court, and to say—"I will give up all I have to meet the demands of my creditors." If there were none but honest debtors, it would be fair enough to have such an arrangement; but we have had experience in this matter, and that experience tells us of the class of men who go through the Bankruptcy Court. Three-fifths, at least, are not honest or unfortunate; but men who incur debts recklessly, and make away with the property of their creditors. When you are dealing with a class of men of this description, to enable them to say when it suits their convenience, when they have made away with their creditors' property, and secured some of the spoil, to give such persons facilities for obtaining release from their obligations, does appear to me a strange proposition. It will be a sure means of encouraging fraudulent bankruptcies. To show the practical result of this system while it was in operation, I will just refer to some statistics quoted by Lord Hatherley in "another place" in 1877. Speaking of the result of the Act of 1861, by which debtors were enabled to become bankrupts upon their own petitions, it appeared that, during the year ending October, 1869, out of 10,000 adjudicated bankrupts, 7,530 were adjudicated bankrupt on their own petition; and the results, as regards creditors, in the same year, was this—1,695 paid dividends, and 7,346 paid no dividends. The House, then, sees what class of traders it was that availed themselves of the Bankruptcy Court, upon their own petitions, and with what results to the creditors. But we know also, when that state of the law existed, that it put into the mouth of the debtor a continued threat against the creditors. It was a common thing for him to go round to his creditors and say—"I cannot pay 20*s*. in the pound; I will give you a composition, if you like to take it; if you do not, I will go through the Court." This threat was held over creditors; and, in fact, it was common in the mouths of debtors. And yet this Bill would restore this power to the debtor. I did not mean to detain the House at the length I have done. Personally, the Bankruptcy Law is a matter of no interest to me. I am not a commercial man. Whether the law be good or bad, it is no affair of mine personally speaking; but, as a Member of this House and of a Profession which has for years continually brought the subject to my attention, and representing an important commercial constituency, as I have the honour to do, I have felt it my duty to go into the subject. I have no wish to throw out the Bill. My object has been to bring to the attention of the House the whole course of our bankruptcy legislation, believing, as I do, that we shall have hereafter, and at no very distant time, to consider the question of the expediency of that special legislation known as Bankruptcy Law, with a view to its entire abolition. It is my desire, however, to assist in making the present Bill a useful measure, either before a Select Committee, or by Amendments, which I am ready to propose in Committee of the Whole House. If it were a question whether this Bill should pass or not in its present form, without amendment, I would, unhesitatingly, divide the House; but that is not my wish. My object is to assist my hon. and learned Friend, if he will allow me to do so, by such Amendments as I shall feel it my duty to propose in Committee, in order that we may pass a measure which will be efficient for the protection of those great interests upon which the prosperity of the country largely depend.

Mr. OSBORNE MORGAN, in rising to second the Amendment, said, that in the course of his professional life he had learned and unlearned no less than three systems of Bankruptcy Law; and he, therefore, must be pardoned if he naturally looked with suspicion upon any proposal to alter the law for a fourth time. He agreed with his hon. and learned Friend the Attorney General that the history of our bankruptcy legislation was a dismal record of melancholy failures. There must, he (Mr. Osborne Morgan) maintained, be something radically wrong about a system which required to be pulled to pieces once in every six years or so. The hon. and learned Attorney General had attributed the failure of the Act of 1869 mainly to the apathy of creditors in reference to bad debts; but there were other causes to which that failure was due. When the Bill was passed, with an air of triumph through the House, it was said that there had been enough of lawyers' legislation, and that what was wanted was merchants' legislation. The people, it was said, who were most interested in the recovery of the bankrupt's estate were, of course, the creditors. But what fruit had the Act borne? In his Report, the Controller in Bankruptcy said,* last year—

> "The actual loss by bad debts in cases under the Bankruptcy Act will be about £25,000,000 for the year 1878—a somewhat heavy tax on consumers, as it does not include the losses from Scotch and Irish insolvency, joint-stock companies, deceased insolvents, private arrangements, or the many thousands of small insolvencies which are not dealt with under the present Bankruptcy Law."

This sum of £25,000,000, he had no hesitation in saying, was a tax levied upon honest men for the benefit of rogues. Before the House proceeded to further legislation, they ought to inquire to what causes was the failure of the Act to be attributed. One, as had been already observed, was the indifference and apathy of creditors about their bad debts. His hon. and learned Friend (the Attorney General) said the Bill before the House would make creditors take care of their own interests; but he (Mr. Osborne Morgan) doubted very much whether this result could really be brought about by any Act of Parliament. Another cause of the failure of the Act of 1869 was the existence of the new class of trustees whom the Act had created—a class whose profession it became to prey, like vultures upon carcasses, upon the estates of insolvent persons, and to get as much as they possibly could out of them. He acknowledged that a clause in the Bill which compelled a trustee to account once in some stated period would have a valuable effect, and to that extent he fully agreed with the Bill. The chief cause of the failure of the Act of 1869 was, however, the extreme leniency of the law to debtors. The law was, in fact, administered in the interest of the debtor, and not in the interest of the creditor, and seemed designed for enabling rogues to prey upon honest men. When he contemplated the facilities which the law, and particularly the Bankruptcy Law, gave for the perpetration of fraud, he wondered that they did not all turn rogues. He was of opinion, in fact, that in this country honesty was not the best policy. Men embarked in reckless enterprizes, or hopeless actions, and if failure resulted they got themselves whitewashed, threw off their liabilities, as they would an old coat, and there the matter ended. The question, therefore, was, would these men be reached by the Bill of his hon. and learned Friend? Some of the clauses in that Bill he could not but approve. He quite agreed that the law should be administered by a Judge who had time to attend to his business. The present Chief Judge (Vice Chancellor Bacon) had only a remnant of his time to devote to bankruptcy matters, and was, therefore, compelled to delegate a large portion of his duties to the Registrars. He was also glad to see that his hon. and learned Friend proposed to do away with proceedings by liquidation. He was, however, afraid that by introducing deeds of arrangement the Bill would really be opening a still greater door to fraud than that provided by liquidation proceedings. Nothing would be easier than to find a solicitor to go round to creditors and get them to agree to a deed which, in some cases, they might not even see. Until some mode should be found of doing away with the process of manufacturing debts, no real step could ever be made towards the prevention of fraud in cases of bankruptcy. He should, to a certain extent, approve the disappearance of proxies; but it must not be forgotten that if proxies were done away with there would practically be little protection left for absent creditors. His great objection to the system of deeds by arrangement was, that they were tolerated by the Act of 1861, and that the system turned out so badly that in 1869, by the universal consent of the House, it was abolished. He objected in the same manner to the 9th clause of the Bill—the clause enabling a man to be made a bankrupt upon his own petition. While, therefore, approving of some clauses of the Bill, he did not believe that it was calculated to meet the evils complained of, and thought that if the Government had no better proposal to submit for the consideration of the House, it would be better to adopt the suggestion of the hon. and learned Member for Dewsbury (Mr. Serjeant Simon), and get rid of the Bankruptcy Law altogether. The Law of Bankruptcy was justified on two grounds, the first of which consisted of an affirmation that it was necessary in order to secure equal distribution among creditors. The second ground upon which the policy of the existing Bankruptcy Law had been defended was, that all legislation on the subject must protect debtors in so far as they were entitled to protection. He admitted the justice of that view; because, as was well known, the tendency of bankruptcy legislation in former times was to deal with debtors in much too lenient a point of view. He could not conceive that there was any practical injustice in leaving a man who had become bankrupt to fight out his case with his creditors, instead of making it a fixed rule of law that certain proceedings should be taken in every case. What was necessary to be done in order to protect honest traders who were driven into bankruptcy was to pass such a law as would put an end to the reckless trading which was at present carried on by men in defiance of a law so loosely made as that it did not, and could not, touch them. Independent of the general question, and of the merits of the Bill itself, he objected to the fact that a measure of this kind, introduced in "another place," and dealing with an important commercial question, had been brought down to the House of Commons —a great number of whose Members were commercial men—at so late a period of the Session, when it would not be possible to discuss it fully; containing, as it did, 159 clauses, which, if the second reading were agreed to, would have to be considered in Committee in the beginning of August, when legal Members of the House would either be out of town or too jaded to pay proper attention to the subject. As that would be a very undesirable state of affairs, he seconded the Amendment. A Bill of the kind could not, if passed, receive the approval of the commercial world, the Legal Profession, or the general public. If, however, it was to be pressed, he trusted that ample opportunity would be given for the discussion of its details in Committee.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months." — (*Mr. Serjeant Simon.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. SAMPSON LLOYD said, that notwithstanding the conciliatory speech of the hon. and learned Attorney General, he could not but agree in the view of the hon. and learned Member who had just addressed the House (Mr. Osborne Morgan), that a Bill so important as the one before the House ought not to be presented to the House of Commons so late in the Session. He must also be allowed to express his regret that the Government had not seen fit to introduce the Bill in the first instance to the House of Commons, where practical knowledge of the subject was so much greater than it was in the House of Lords. The Commission which had reported upon it comprised many very eminent names, but purely those of professional men; but if a few of another class had been on it, its recommendations might not have commanded less confidence. As to the Bill itself, if the hon. and learned Gentleman the Attorney General was right in saying that it followed the principles of the Act of 1869—and he (Mr. Sampson Lloyd) was glad to hear him say so—he thought the better way of dealing with the subject would have been to bring in a short amending Bill to remove the blots from that measure, instead of embarking upon sweeping legislation of this kind, and disturbing the enormous mass of decisions which had been arrived at on the interpretations of the provisions of the existing Act, thereby confusing the mercantile world. It was preposterous to proceed with a Bill of 159 clauses at that period of the Session. He should also have been glad if it had been stated further that bankruptcy legislation for England in the future was to follow the lines of the Act passed for Scotland in 1856—an Act which secured speed and economy in the winding up of bankrupt estates. What he feared was, that if the Bill were to pass as it stood at present it would lead to considerably increased expense in administration, besides causing unnecessary litigation in establishing the principles of the law upon this new basis. He quite agreed with the hon. and learned Attorney General in thinking that the Bill was opposed by professional trustees and accountants, and he shared the objection which the hon. and learned Gentleman had to such form of opposition; but he also knew that it was strongly objected to by a large section of the commercial class, which had a right to be heard on a question of that kind. The question, after all, came to be, what they were to do with the Bill at the period of the Session at which they had arrived? He did not think that the Bill should be rejected altogether. It might be amended, so as to evolve order out of the present chaos; and if the Government would only send it to a Select Committee to have it thoroughly examined, with a view to the evolution of wise and beneficial legislation, he should be inclined to support the second reading of the Bill.

MR. NORWOOD could not join in the wholesale denunciation of the Act of 1869, the failure of which was mainly due to the fact that too much power was placed in the hands of trustees. He was of opinion that the Act did not deserve all the blame and the abuse that had been heaped upon it. In many cases the Act worked well enough. It was based upon the rule that creditors should alone decide as to the way in which the assets of bankrupts should be realized and distributed, either by liquidation, bankruptcy, or arrangement. He saw no reason why there should be any interference with that principle, unless it could be shown that a bankrupt had been guilty of fraud, or some other offence against the law as it affected bankrupts. The real fault of the Act, as he had said, was that it gave too much power to the trustees, whereas the Bill now submitted was too much overladen with officialism. If they were to have a new Bankruptcy Act, it ought to be as simple as possible. He would admit that the Bill afforded a basis for improving the law; but while saying that he could not help feeling that there was great force in the observations which had been made as to the late period of the Session at which the Bill had been brought down to the House from "another place" in which it had been introduced. He thought they could do as well without a Bankruptcy Law as with one providing that insolvent debtors were prevented from giving preference to particular creditors. He did not consider there would be sufficient time to pass the Bill that Session, seeing that, in all probability, it would lead to a great deal of contention, in addition to which it bristled with too many difficulties. The Reports of the Controller in Bankruptcy had frequently been referred to; but, with all respect to that gentleman, he took an extreme view of the magnitude of his office. It was a great pity the Government had adopted the form of a Code. They would be all thankful to have a Code like the Merchant Shipping; but he would remind the House that the present Act was a Code. The expense inflicted on the mercantile community was very great. For the first two years after the passing of the Act there was constant litigation as to the interpretation to be placed on words; and here, in this Bill, the Government was about to express the same thing in different language. The commercial community felt so strongly as to the necessity of having an amending Act that they had gone to the trouble of drafting an amending Act. He had the Bill in his hands. It was a short measure, and they believed it would rectify all the evils under the present law. He thought that frequent applications to the Court would be fraught with delay and a cloak for fraud. On one point he desired to be most emphatic. If they were to have a Bankruptcy Bill at all, the existing Act ought to form the basis of a simple and good Bankruptcy Law; and if, under the Judicature Act, they were to have a new Judge appointed, he hoped he would be a strong one, a good commercial lawyer, who could take up a question with commercial knowledge, and let him devote his time entirely to his duties as Bankruptcy Judge, and not be a kind of Jack-of-all-trades on the Bench, having his time frittered away by being sent on Circuit. If such a person were appointed, that would, in itself, be a great improvement, and an important step would be taken. Take it altogether, he did not regard the present law as a bad law; but he thought they would have a worse Bill if they adopted the proposal of the Government. He thought it was too late in the Session to enter into the question in a proper and calm spirit, and he thought it would be wise on the part of the Government to withdraw the Bill.

MR. GREGORY supported the Bill on the ground that a change was most desirable, and because he thought the measure went in the right direction. In his opinion, the Government, in framing the Bill, might have gone a little further; for the Bankruptcy Court, as it now existed, ought to be done away with altogether, and the business of

Bankruptcy spread over the Courts of the country. The present system of liquidation by arrangement had led to a good deal of touting for proxies; and the fact was that the result of the meeting of creditors was, generally, a foregone conclusion. He, therefore, cordially agreed in that which was considered one of the main features of the Bill—the substitution of deeds of arrangement for the strange system—if it could be called a system—which they had of liquidation by arrangement. Another matter of some importance was the question of shortening the period for the recovery of debts in Bankruptcy. At present, anyone who chose to sleep on his rights for six years could come in and prove his debts. He did not think it was right. He would venture to propose that that period should be shortened to four years at least. He thought the general principle of a period of six years for the recovery of debts was too long. With one or two exceptions, as to which he should move Amendments, however, he would give his support to the Bill. As to the question of the introduction of the Bill at that late period of the Session, a suggestion had been made that the Bill should be referred to a Select Committtee. He thought that would be a very desirable course, if they could depend on the deliberations of the Select Committee being acceptable to the House when the Bill was returned to it. If the House was content to accept the Bill and take it as it came out of the Committee, he did not know that any better course could be taken. If hon. Members would put their Amendments on the Paper between now and the Motion to go into Committee, the House would then know what Amendments were to be proposed. He thought, in that way, that some arrangement might be made which would materially facilitate the passing of the Bill into law.

SIR JOSEPH M'KENNA also thought the Bill was a considerable step in the right direction. No doubt, it required a certain amount of revision; but that could be done by a Committee of the Whole House, and without the ordeal of a Select Committee. He hoped the Bill would be read a second time; he believed it had been already carefully revised in "another place" and could be well dealt with this Session; and, notwithstanding differences of opinion at present, he thought it would be possible without much delay to get the House to agree to a settlement of the points now in dispute.

MR. ANDERSON said, that he was in Parliament when the present Bankruptcy Act was passed, and he very well remembered taking a considerable part in it; because one of the main objects of Sir Robert Collier, in promoting the Act, was to adopt, to a large extent, the system which then existed in Scotland. He (Mr. Anderson) believed that through his knowledge of the Scotch law he was of some assistance to Sir Robert Collier in carrying out that object, and that the Act then passed was, as far as it went, a very good Act. In some respects it was quite an improvement on the Scotch system, and in other points it adopted the Scotch system; but where it failed and broke down was in management, because they had not been able to import Scotch economy, Scotch management, and Scotch lawyers' charges along with the Scotch system. It was in the matter of cost principally that the thing had broken down in England. In Scotland, very often, it was one of the creditors who was trustee, and the estate was therefore managed economically, and with the interest of the creditors at heart. On the other hand, a bankrupt estate in England was always handed over to professional accountants; and when the new Act was passed the whole thing was simply handed over to the same lot of solicitors and accountants who had practical charge of affairs under the old Act. It was not likely that these men would forego any of their charges, or that they would in any way try to make the new system more economical than the old one was. That was how the new Act had broken down; and in this Bill he saw no trace of any intention to improve that state of affairs. They were still to have a scale of charges arranged by lawyers, for the benefit of lawyers, in which the interest of the public was wholly ignored. He had no hesitation in saying that the charges in the Bankruptcy Court all through, both the lawyers' charges and the accountants' charges, were neither more nor less than an infamous legalized robbery of everybody, and nothing better. Until the House could adopt some system of reducing these charges and fees, and putting it in the power of somebody else than mere lawyers to say what fees were to be, they would not make the system one whit better than it was at present. He was glad to see so many Professional Gentlemen were present to hear what he had to say upon that matter; and he would repeat that the charges were infamously high, and unless they were brought down to something like the level of the Scotch charges there would be no benefit from the Bill. Even with these excessive charges, people who paid them did not get justice. Look, for instance, at the London Bankruptcy Court. The system there had been reduced to one of Registrars. Most of the work was done by those gentlemen, who were a notoriously weak lot of Judges, of no professional standing, and unable to give satisfactory judgments; and if a case was appealed, it went, at least in theory, from a Registrar to the Chief Judge in Bankruptcy. Unfortunately, however, in practice the Chief Judge did not really hear the appeal, which came again before one of these weak Registrars, who simply changed his title for the occasion, and sat as Chief Judge to hear an appeal from a brother Registrar no weaker than himself. That, he thought, was a very improper system; and although the hon. Member for East Sussex (Mr. Gregory) had suggested various Amendments, he did not think that the Bill could be sufficiently amended to make it satisfactory in that particular. He (Mr. Anderson) did not wish to discuss the details of the measure, or to go largely into the subject with which it dealt; but he did not believe it possible, at that late period of the Session, to make the Bill a satisfactory one. There was a great deal to amend, which would involve an immense amount of discussion. Take, for instance, the Schedule describing a trader. It was copied from the last Act, and was about the lamest and most wretched definition of a trader that ever was heard of. Look at the trades which were put in, and the trades which were left out. Brickmakers, builders, carpenters, and lime-burners were amongst those put in. Those were four trades connected with building; but if four trades connected with building ought to be put in, why not all trades connected with building? Before there could be any lime to burn, it must be taken from a quarry, and yet quarry-owners were not included in the Schedule. Neither were plasterers, plumbers, slaters, nor glaziers, all of whom were connected with building. That was an absurd anomaly. There was another. Cowkeepers and market gardeners were specially mentioned as traders; but farmers and graziers were as expressly excluded. If the cowkeepers were put in, why should the graziers be left out; or if the market gardener was to be put in, why should the farmer be left out? Then, when he came to the manufacturers, he found the Bill just as lame. The only kind of manufacturer who was included in the description of traders was the maker of alum. He would like to ask what there was of a special character in the making of alum to constitute the persons engaged in that business traders more than any other manufacturers? All other manufacturers could only come into the Bill under the vague term of——

MR. SPEAKER, interposing, said, he was bound to point out that the House was now discussing the second reading of the Bill, and the hon. Member's remarks referred to rather minute details, which might be reserved for Committee.

MR. ANDERSON replied, that he thought he was only following the practice which had been indulged in by previous speakers of showing the reasons why he thought it impossible for the House to deal with the Bill at this late period. There were many matters of minute detail which had not been attended to in the Bill. The measure was intended to amend the existing Act; but it ought to amend it thoroughly, if they were now to deal with it at all; and he was simply endeavouring to show by illustration that the Bill did not attempt to amend some of the absurd anomalies in the old law, and that, at that late period of the Session, he did not see how it was possible to make it do so. He would, however, refrain, according to the ruling of Mr. Speaker, from saying anything more about details. The hon. Member for East Sussex suggested that the Bill might with advantage be referred to a Select Committee; but, in his (Mr. Anderson's) opinion, the lateness of the Session was also a bar to dealing with a measure of such magnitude in that manner. If that course were taken, there would be no prospect of having the Bill thoroughly and fairly discussed; and he recommended, for his own part, the hon. and learned Attorney General to be content with having had that discussion, to withdraw the Bill, and to reintroduce it at the beginning of next Session, when it might be referred to a Select Committee, and when it might be possible to come to a satisfactory solution. But at present it was not possible.

MR. MUNTZ agreed in one respect with the hon. Member for Glasgow (Mr. Anderson)—he could not see any prospect of the Bill being passed this Session in a satisfactory manner. It was, no doubt, much needed and anxiously desired; but, without a longer time than seemed available, there was little chance of its being properly considered. Therefore, he trusted that no attempt would be made to go further with it than to refer it to a Select Committee. If the Government would promise to adopt that course, he thought the second reading might be allowed. He considered that, of late years, the tendency of the law had been to do too much for the debtor and too little for the creditor; too much for the dishonest debtor at the expense of the honest creditor; and it was too much in favour of the rogue instead of the honest debtor. Since the passing of the Bankruptcy Act of 1825, they had been going on from bad to worse. That Act was, in his opinion, the most just they had had yet. Under it a bankrupt could only be set at liberty by consent of two-thirds of the amount, or three-fourths of the number of his creditors. The great want under that Act had been a Registrar or Judge in Bankruptcy. All had now been altered, and dishonest rogues had facilities for cheating their creditors in a scandalous manner. There should be power to stop this, and to force dishonest bankrupts by thorough judicial examination to disgorge their property. There need be no fear for honest debtors. He had never known an honest man who had failed through misfortune who was not treated with leniency, and even with generosity, by his creditors. But the law looked after the rogue. What was necessary was that the proceedings in Bankruptcy should be public. He advocated the reference of the Bill to a Select Committee, which would be best qualified to deal with it, and enable it to be passed during the present Session. Some measure of reform was absolutely necessary, and he earnestly trusted that the Government would accept the course which had been suggested to them.

MR. RATHBONE thought that the continuance of the operation of the Bankruptcy Act as it at present stood would bring serious harm to the commercial prosperity of this country. No measure could injure the interests of this country more than a Bill which gave sanction to the evils which were found to prevail in connection with the administration of the Bankruptcy Law. Unfortunately, men, in the rush and haste of life, took their morality from the law; and the law was apt to become, in men's minds, an assertion of what was moral with regard to their actions in certain cases. A Bill of the character and importance of this measure, therefore, ought to be proceeded with with great care and caution; and, in his opinion, it would be impossible, with the Business which the House had before it, at this period of the Session, to give that attention to it which it deserved. But there was a mode by which they might get, practically, the advantage of all the knowledge and experience of those who felt an interest and had had experience in the matter; and, moreover, to obtain what they required, they might simply carry out the recommendations of the Committee which sat last year upon the question of Public Business. There was also the proposal to send the Bill to a Select Committee. He did not, of course, suggest that a Committee should be established consisting of 7 or 14 Members, because there was no reason why such a Committee should not consist of all the practical men of experience in the House who had had anything to do with the operation and administration of the Bankruptcy Act; and it was perfectly possible for a Select Committee to sit at the same time as the other General Committee of the House, as there would be, in future, a good deal of Business that would not require the attendance of a large number of hon. Members. And if a Committee were so constituted, at the same time as the Committee of the Whole House was sitting, the time of hon. Members would not be wasted. He could not but think that that would be a very good arrangement, because, if necessary, the Bill could afterwards proceed through the Committee of the Whole House. He did not, however, think that it would be necessary or desirable that the Bill should go to the Committee after having been dealt with by the Select Committee. If Amendments were required, after the Bill had been before the Committee upstairs, they would still have an opportunity of making them on Report. He ventured to think that that suggestion was worthy of the consideration of the House, and was practically the only one which it was desirable to adopt.

SIR HENRY JACKSON said, that there were many circumstances in the law as it now stood which he would be glad to see altered, and as to which no time should be lost in devising some remedy for the serious evils now existing. The principal cause of the present scandals was the facilities which fraudulent debtors had of making compositions and settlements by arrangement. Fraudulent debts were concocted to cheat the real creditors, and the persons who received the assets in many cases never really accounted for them, or, at least, delayed long to do so. It was perfectly notorious that a clever solicitor and a clever accountant could devise a plan which could be so cut-and-dried before the general meeting that a protesting creditor would be altogether powerless. There were two or three ways of dealing with the difficulty. The whole of the law might be re-considered, or the House might determine which of the two principles of bankruptcy administration was the more desirable—that was to say, it might choose between the principle of former Acts and that of the Act of the year 1869. The question was, whether the whole matter should be left in the hands of the Court or of the creditor? for both plans had been tried, and neither of them had worked satisfactorily. Of course, no one liked to lose money, and as the Bankruptcy proceedings were begun only when a disaster was established it was impossible to please everyone. Now, the officers of the Court of Bankruptcy had satisfied the Legal Officers of the Government as to the reality of the scandal arising from the Act of 1869, and the Government had proposed a plan to remedy the most crying of those evils. He (Sir Henry Jackson), however, regretted that they had combined in one Bill the changes they desired to make, as well as the re-enactment of the existing law. However, he believed the Bill of the Government was the best they could bring forward, taking into consideration the existing principle of the law of the administration of Bankruptcy which had received the sanction of Parliament. The remedy they proposed was to increase the fetters put upon the obnoxious practices of liquidation and composition by arrangement, and the Bill would probably prevent a great many of those scandals. Lord Westbury's Act of 1861 had given great facilities for such frauds; and hon. Members might remember that just before the passing of an Act of Amendment in 1868 there was a great rush of debtors anxious to avail themselves of the old law. In the present case, if the Bill became law, he had no doubt that the result would be the same as in 1868. In the same way, the provisions of the Act as to the laxity and delay of trustees in regard to their accounts would, in all probability, have a highly beneficial effect. Had the Bill been confined to these objects of amending the present law, it could easily have been passed. Harm it could not have done, good it might have done; and next Session they could have dealt with the work of consolidation. Instead, however, of doing that, the Government had made the mistake of passing an ambitious Bill through the other House at an early period of the Session, and had not brought it on for consideration in the House of Commons till July 16, although it re-opened the whole question as it was settled by the Act of 1869. The House would have had no difficulty in passing a measure of amendment, the good effect of which would have been seen next Session; and, had it done so, it would have paved the way for more complete legislation. He thought that the Bill ought to be re-committed *pro formâ*, and brought back again without its clauses of consolidation. If that were done, it would not matter by what kind of Committee it was discussed, as it would involve no principle, and could be passed easily. He was very anxious indeed to see something done, and the necessity for something to be done was urgent. Although it was a question of only a few months, let them do something at once, for the amount of bad debts being incurred every year was very serious; and he would put it to the hon. and learned Attorney General whether he could not now re-cast this Bill, so as to leave until next year all that was merely consolidation, and confine the Bill to those points in which the Government knew they were merely amending the existing law? If the Government would do that, he believed that no one would object to it, and they would have the satisfaction of knowing that during the Session they had done some little practical work, for which the commercial community would be grateful.

The CHANCELLOR of the EXCHEQUER said, he would not address the House upon the merits of any of the questions raised by the previous speakers, though he felt that it was a subject of the highest importance to the mercantile community that the Law of Bankruptcy should be amended, and it was desirable to deal, if practicable, with it that Session. There seemed to be a very general *consensus* of opinion in the House that the time had come when it was desirable to legislate in this matter, and that the Bill presented, at all events, a good opening and foundation for a satisfactory measure. The only question, therefore, was, whether they had time and means to work the Bill through in the ordinary way, and produce a measure which would be satisfactory. He owned that, in consequence of the pressure of other Business, it had been found impossible to bring on the Bill earlier. If a Bill of 159 clauses was to be discussed in the usual way in Committee of the Whole House, and with the fullness and freedom that the importance of the different clauses demanded, it was highly improbable that they would be able to get the Bill through in the present Session. That would be a very disappointing result, not only to the House, but to the country; for this was, undoubtedly, a measure which had been for a long time desired in many quarters. Now came the question, whether they could get through the work before them. There was an old proverb, that "Where there is a will there is a way," and as he believed there was seriously a will on the part of the House, they would endeavour to see if there was a way. Two or three suggestions had been made, and the hon. Member for Liverpool (Mr. Rathbone) had offered one worthy of the consideration of the House—namely, to refer the Bill, not merely to a Select Committee of 15 or 20 Members to go through the measure, which should thereafter go through the ordeal of Committee of the Whole House, but to refer it to some larger Committee, so as to include, as far as possible, all those Members likely to take a leading part in the discussion, and to allow that Committee to deal freely with it, and put it into such a shape as they thought likely to commend it to the House; and if the result of the labours of that Committee should justify such a step, but not otherwise, it would be perfectly possible, and quite within the Rules of the House, that a Motion should be made when the Bill came down from that Committee to negative the ordinary stage of the Committee of the Whole House, and to order that the Bill, amended by the Committee, should be taken into consideration on a day named. If so taken into consideration, it would be open to Members who desired to do so to move Amendments upon the Report. It would be competent, on the other hand, if the result of the labours of the Committee were not satisfactory, and hon. Members thought it desirable that the Bill should go through Committee of the Whole House, to negative the proposal to report it without that stage. But if the Committee were well chosen, and attended by Gentlemen qualified to take part in the discussion, they would be rendering a very great service to the country and the House by relieving them of this labour. He was heartily disposed, on the part of the Government, if the Bill were read a second time, to agree to the proposal to refer it to a Committee in the manner he had described, and steps would be taken to appoint that Committee as soon as possible.

SIR HENRY JAMES thought that, before this serious course was taken, Notice should have been given, so that the Leaders of the House might have been present to consider it. The Government ought not to have waited for a chance suggestion of such a course before determining to recommend it. This was a matter of principle, and one which largely affected the practice and rights of the House. It was a matter of grave doubt whether they should adopt this bureau system at all. Viewed rightly, it involved a resignation by the House of some of its responsibilities. On that subject there might very well be considerable discussion; but no Notice had been given of the course which the Government now intended to take. He did not wish to throw any obstacle in the way of the Bill, but only wished the House to perceive the position in which it stood. Possibly, it might be wise, ultimately, to adopt some such practices, looking to the length of time some Bills had lately taken in Committee; but it ought not to have been left till now to announce the determination to take such a course in reference to the Bill, without leaving time adequately to consider the propriety of setting up such a precedent. He also thought the Government should take the full responsibility of such a step, if it were proposed. If the demand for the Bill were so great as had been represented, the Bill ought to have come on for second reading before the 16th of July; and he did not see that, because of the lateness of the Session, when the Bill was brought before them, the House ought now to be called upon to pass an insufficient Bill, or to delegate their powers in Committee to a Select Committee. The question which had now arisen was a very broad one, and ought not to be discussed at the end of a Sitting.

MR. ASSHETON CROSS presumed that the object of every hon. Member was not to pass as many measures as possible, but to pass measures as perfect as possible; and, that being so, the only question was in what way the Bill before the House could be improved, so as to get the best measure on the subject of Bankruptcy that could be had. In order to effect that object, the course suggested from the other side of the House seemed to him the best in the circumstances. But the general question of delegating any of the powers of the House to Committee was not now before them. He believed that a large Select Committee would do the work well; but the immediate question before the House was that of the second reading of the Bill, after which the nomination of the Committee might be discussed. He hoped that they would consent to read the Bill a second time.

MR. W. E. FORSTER said, he understood, from what had fallen from his hon. and learned Friend behind him (Mr. Serjeant Simon), that he intended to withdraw his Amendment; that there was, therefore, a general agreement in the House to read the Bill a second time; and that they were now considering what was to be done after they had assented to the second reading. Nobody could deny the great importance of the suggestion of the hon. Member for Liverpool (Mr. Rathbone) in reference to the further stage of the Bill. He (Mr. W. E. Forster) thought, however, that it was a Bill on which the suggestion of the Committee of last year on Public Business could fitly and conveniently be tried. Nothing could be clearer than that the Bill could not be passed in the usual way this Session, and he thought the Government would have done wisely to accept the suggestion of his hon. and learned Friend the Member for Coventry (Sir Henry Jackson); but as the Government did not seem disposed to accept it, they had only the alternative of adopting the other suggestion of the hon. Member for Liverpool, or of seeing the Bill fail of passing this year. No doubt, the proposal involved certain novelties in their procedure. But he was not sure that the suggestion did not point to a very great and desirable reform that would greatly relieve Parliament in its labours. By adopting that course in reference to this Bill they were not pledged to its repetition in other cases, or to the giving up of any of their functions. He did not object to the experiment of a large Committee sitting upstairs being tried in what seemed to be a good case for it, and when there was a general desire to effect legislation. He hoped that the Government would take care to bring on the appointment of the Committee at a reasonable time, and with such notice as would enable the matter to be properly discussed by the House. It would not, he thought, be possible on the appointment of the Committee to pledge the House not to consider the measure in detail; but, still, it would be very unfair to get Members to give up their time to such a Committee, unless there was as much of an understanding as it was possible to obtain that such would be the result; and that could not be arrived at without the Government affording a full opportunity for the consideration of the proposal.

MR. A. MARTEN pointed out that if, after the second reading of the Bill, the

House assented to the proposal of the hon. Member for Liverpool (Mr. Rathbone), it would have ample opportunity, when the names of the Members of the Committee were proposed, of saying how it should be constituted. Again, after the Committee had concluded its labours, it would be open to his right hon. Friend the Chancellor of the Exchequer, or any other hon. Member, to move that the Bill be considered on the Report without passing through a Committee of the Whole House. A good precedent for the course recommended by the hon. Member for Liverpool was furnished by the Committee of last year on Parliamentary and Municipal Registration, of which he (Mr. A. Marten) was Chairman. Three Bills on that subject were submitted to the Select Committee, and the Committee in the result produced a Consolidated Bill, which passed through that and the other House entirely unaltered. In that case the stage of Committee of the Whole House was gone through; but as the Bill was without amendment accepted in that stage on the recommendation of the Select Committee, there was no other stage before the third reading. There would, he held, be little difficulty in adopting the present Bill as a Consolidation Bill; because the parts of it which consisted of amendments in the law would be clearly distinguished from the rest of the measure, which re-enacted the existing law.

Mr. MUNDELLA believed it was the general wish of the House that the Bill should be read a second time, and that a Committee should be appointed of the kind indicated by the hon. Member for Liverpool (Mr. Rathbone). This was a very good opportunity of trying a great and important experiment in the progress of legislation, which might be fraught with important results in future Parliaments. He presumed that it would be competent for the Committee, if it was found impossible this year to deal satisfactorily with the Consolidation Clauses of the Bill, to deal only with the new provisions. Would it not be well to refer also the second Bankruptcy Bill—that of the hon. Gentleman the Member for Plymouth (Mr. Sampson Lloyd)—before the House, to the same Committee? That Bill had been favourably received by the trading community.

Mr. Serjeant SIMON also urged that the two Bills should be sent to the same Committee. He would withdraw his Amendment.

Mr. MORLEY felt it to be only just to the Government to say, in reply to what had fallen from the hon. and learned Member for Taunton (Sir Henry James), that the proposal for a Committee had orginated on his side and met with the general concurrence of both sides of the House. He was quite sure he expressed the sentiments of nine-tenths of the Members of the House who were interested in the question of Bankruptcy, when he said that the proposal, if practicable, would afford a most satisfactory mode of securing this Bill. It was most desirable that the Bill should pass during the present Session, as it would get rid of many of the most flagrant abuses in the practice of Bankruptcy. He considered it would be a great calamity to the commercial classes, if that portion of the Bill which did away with liquidation by arrangement were not secured.

Mr. BARING desired to express his entire concurrence in what had just been said. It would be a serious evil if legislation were put off till next year, when there was so much likelihood of instant financial trouble.

Mr. DILLWYN feared, at that particular period of the Session, that the experiment of appointing a grand Committee would not have a chance of receiving a fair trial in this case. He considered, therefore, it would be better to postpone the Bill. He thought they had better be satisfied with the present law than legislate in a hurry at the end of the Session.

Sir EDMUND LECHMERE urged the Government to postpone the Bill to a future year, and then to appoint, at an earlier period of the Session, a Select Committee, so as to have that great question thoroughly thrashed out.

Amendment, by leave, *withdrawn.*

Main Question proposed, "That the Bill be now read a second time."

Sir CHARLES W. DILKE thought the House ought seriously to consider whether the proposal of the hon. Member for Liverpool (Mr. Rathbone) ought to be entertained so near the close of the Session. The suggestion now made by that hon. Member had been brought before the Committee on Public Business, and did not meet with favour. The present was not the class of Bill which it was proposed by the Public Business Committee thus to treat, and he objected to its being so dealt with.

MR. OSBORNE MORGAN asked who would appoint the Committee?

THE CHANCELLOR OF THE EXCHEQUER replied that it would be done by the House.

MR. BIGGAR thought the proposal was so serious that time should be taken to consider it. He, therefore, moved the adjournment of the debate.

MR. CHAMBERLAIN seconded the Motion for adjournment.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Biggar.*)

THE CHANCELLOR OF THE EXCHEQUER earnestly hoped that at that hour (25 minutes to 6) they would at least be allowed to read the Bill a second time. It would still remain with the House to decide at its pleasure what course it would take in regard to the appointment of the Select Committee.

MR. PARNELL urged that as the proposal made by the hon. Member for Liverpool (Mr. Rathbone) and accepted by the Chancellor of the Exchequer would, if adopted, establish a precedent which might hereafter be used seriously to cripple the power of a minority, the House ought not hastily to assent to the second reading of the Bill.

MR. MORLEY rose to Order, and asked, whether the Question before the House was not that the Bill be now read a second time, and not the proposition of the hon. Member for Liverpool (Mr. Rathbone)?

MR. SPEAKER said, the immediate Question before the House was that the debate be now adjourned. The hon. Member for Meath was, therefore, in Order in his observations.

MR. PARNELL feared the principle of the proposal, which was all very well for a Bankruptcy Bill, if adopted, would be applied to other measures, such as Irish Coercion Bills. The hon. Member was speaking, when——

MR. SPEAKER pointed out that, it being now a quarter to 6, the debate stood adjourned.

Debate *adjourned* till *To-morrow.*

MOTION.

PRIVILEGE (TOWER HIGH LEVEL BRIDGE, METROPOLIS).

REPORT OF SELECT COMMITTEE.

Report from the Select Committee, with Minutes of Evidence, *brought up*, and read.

MR. SPENCER WALPOLE: Perhaps I may state to the House that the Report will be in the hands of hon. Members to-morrow; but the evidence will not be in the hands of hon. Members until Saturday; and, therefore, what I propose to do is not to make any Motion except that the Report do lie on the Table, and that it be ordered to be printed.

Motion *agreed to.*

Report to lie upon the Table, and to be *printed.* [No. 294.]

NOTICE OF RESOLUTION.

ARMY DISCIPLINE AND REGULATION BILL—CONSIDERATION—CORPORAL PUNISHMENT.

NOTICE OF RESOLUTION.

MR. W. E. FORSTER (for the Marquess of HARTINGTON) gave Notice that, on the consideration of the Army Discipline and Regulation Bill on Report, the noble Lord would move—

> "That no Bill for the Discipline and Regulation of the Army will be satisfactory to this House which provides for the permanent retention of corporal punishment for Military offences."

PASSENGER VESSELS LICENSING (SCOTLAND) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law relating to the traffic in Exciseable Liquors in Passenger Vessels plying between Scottish ports.

Resolution *reported:* — Bill *ordered* to be brought in by Dr. CAMERON, Lord COLIN CAMPBELL, Mr. DALRYMPLE, Mr. JAMES STEWART, Mr. ORR EWING, and Mr. GRANT.

Bill *presented*, and read the first time. [Bill 247.]

MR. GOFFIN'S CERTIFICATE.

Select Committee *appointed,* "to inquire into and report upon the circumstances relating to the suspension of the Certificate of Mr. Goffin by the Science and Art Department:"—To consist of the following Members:—Mr. BELL, Mr. BOORD, Mr. ERRINGTON, Lord GEORGE HAMILTON, Lord FRANCIS HERVEY, Mr. LOWE, Mr. RODWELL, Mr. PELL, and Sir SYDNEY WATERLOW:—Power to send for persons, papers, and records; Three to be the quorum.—(*Lord George Hamilton.*)

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 17*th July,* 1879.

MINUTES.]—PUBLIC BILLS—*First Reading*—Commons Act (1876) Amendment* (152); Industrial Schools (Powers of School Boards)* (153); Volunteer Corps (Ireland)* (154).
Committee — Tramways Orders Confirmation (135); Highway Accounts (Returns)* (143).
Committee—Report—Inclosure Provisional Order (Whittington Common)* (136); Cork Borough Quarter Sessions* (142).
Third Reading — Marriages Confirmation (Her Majesty's Ships)* (124), and *passed.*

WORKMEN'S COMPENSATION BILL.

(*The Earl De La Warr.*)

(NO. 7.) SECOND READING.

On Order of the Day for resuming the adjourned debate on Motion for Second Reading (which stands appointed for this day),

THE LORD CHANCELLOR appealed to his noble Friend who had charge of the Bill (Earl De la Warr) to consent to a further postponement of the debate, on the ground that the Bill of the Government dealing with the same subject, and which ought to be considered by their Lordships simultaneously with his noble Friend's measure, was still in the House of Commons. He was not without hope that the Government Bill would reach their Lordships' House; and, therefore, he asked the noble Earl to postpone for a fortnight the further discussion of his Bill.

LORD NORTON expressed his regret that there should be this delay in legislating on the question. He thought that the Bill of his noble Friend was a fair proposition for discussion, and the four Bills on the subject now before Parliament only differed in degree, not in principle. If the Government Bill had been introduced in this House there might have been legislation this year, which was now very doubtful. The noble Earl had no choice but to accede to the request of the noble and learned Earl.

EARL DE LA WARR, with regret, accepted the suggestion of his noble and learned Friend on the Woolsack. He thought the Bill of the Government had been strangely delayed in its passage through the other House; but the subject was of much importance, and he hoped that their Lordships would be enabled to deal with the Bill before the close of the Session.

Adjourned debate *put off* to *Thursday* the 31*st instant.*

TRAMWAYS ORDERS CONFIRMATION BILL—(No. 135.)

(*The Lord Henniker.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD HENNIKER, in moving that the House do now resolve itself into Committee on this Bill, as amended, said, that on the second reading he stated, in reply to the noble Marquess, who was not now present (the Marquess of Ripon), that his suggestion that a licence ought to be granted for the experimental use of steam on tramways, if the local authority of the district or districts in which half or more of the length of such tramway was situated did not object, should be carefully considered before the Bill was in Committee of the Whole House. He might now say that his noble Friend the President of the Board of Trade had given the matter his most careful consideration, and while fully realizing the importance of the suggestions of their Lordships' Committee who reported this Session, he had come to the conclusion, considering all the circumstances of the case, that it would not be advisable to make the Amendment suggested. So many opposite interests were involved, and so much difficulty would arise with regard to the local authorities all over the Kingdom, in the event of any alteration being made, that it had been thought desirable to adhere to the number of consents which were required by the Tramways Act now, and also by the usage of Parliament, before a tramway was laid. In the event of there being, in future, any general legislation as regarded tramways to carry into effect the other recommendations of the Committee which sat this Session, the question of the number of consents which would be required was a very serious one, and one that must be considered not only with regard to the use of steam, but also with regard to the consents for the original construction of tramways. There were some few, but not important, Amendments in the Bill. They referred entirely to the means to be adopted to compel the Tramway Companies, with the least possible expense to the public, to keep their tramways and roads in a proper state of repair. These clauses had been very carefully considered, not only by the Board of Trade, but by those who were more particularly responsible for the Private Legislation of this country, and were entirely within the spirit of the recommendations of the Report of the Select Committee upon Tramways of this Session.

House in Committee accordingly.

Amendments made: The Report thereof to be received *To-morrow.*

RAILWAYS—AMERICAN AND BRITISH PRODUCE—PREFERENTIAL RATES.

QUESTION. OBSERVATIONS.

THE MARQUESS OF HUNTLY rose to ask, Whether the attention of the Government had been called to the preferential rates given by the Railway Companies to the carriage of foreign as compared with English agricultural produce, especially American? Since his attention had been called to the subject he had found that for many years the railways of this country had given preferential rates in favour of the carriage of imported meat from America, from the seaports at which the meat was landed, to London; and they had not confined those preferential rates to foreign meat, but had included corn also. He did not think that it was generally known that the rates for the conveyance of American meat between Liverpool and London was 25*s.* per ton, in quantities of not less than 10 tons, whereas the rates for the conveyance of English fresh meat were 50*s.* per ton; and what was more extraordinary was, that if a farmer in the North of England sent his stock to Liverpool, and was unable to sell it in the Liverpool market, and wished to send it to London, he was obliged to pay the price which was charged for sending English fresh meat. Now, this was a very serious question, and one which must seriously affect the business of farmers and graziers. They very much complained that they were overweighted by reason of the increased rates charged them for the conveyance of their goods to London. It was not only from Liverpool that this difference was made. There was another town well known to their Lordships as a town from which large quantities of meat were sent by railway—he meant Glasgow. American meat sent from Glasgow to London was charged 60*s.* a-ton; whereas fresh meat brought from districts near Glasgow was carried at the consigner's risk for 70*s.* per ton, and at the Company's risk for 77*s.* per ton. These preferential rates acted most prejudicially against the farmers in the South and West of Scotland. Their Lordships could not but see that an extra rate of 10*s.* a-ton in favour of American meat must act very prejudicially to farmers in those districts. He was not going to mention the names of any individual railways. They had laid their heads together, and they all charged the same rates to London. He had made some inquiry into the subject, and he found that they all charged exactly alike. He had furnished the noble Lord opposite (Lord Henniker) with a table of rates. He had nothing particular to complain of with regard to the Companies themselves. They had treated him with the greatest courtesy; but still they did not deny the fact that there was a preferential difference in their charges. But what they said was this—that they would not carry the American meat at all unless they did so at a very low rate; that if they charged the American meat the same rate as the English the ships would not unload at Liverpool, but would take their cargoes straight on to London. On this point, it was only necessary for him to state the remark made by one of the managers of the railways, and that was, that unless they charged very low rates they would improve the traffic off the railways altogether. He did not know how that might be; but, as the matter stood, he thought it could not be denied that the English and Scotch farmers had a very great grievance. It had been suggested that the Railway Commission established by the Act of 1873 would afford a remedy; and certainly Clause 11 of that Act was very strong, because it enacted that every Railway Company or Canal Company should, according to their respective powers, afford all reasonable facilities for the carriage of goods, and that no Railway Company should give any undue or unreasonable preference or advantage to any particular person, or Company, or description of traffic over another. Now, on the face of this clause, it certainly said that no Company should give an undue or unreasonable preference or advantage to one customer over another; but the reply of the Railway Companies to the charge was—"It is true that we do not charge the importers of foreign cattle so much as we do you, but we do not charge the English cattle rates as high as we are entitled to under the maximum charge in the Act;" and they went on to say that they obtained a much larger profit from charging the foreign cattle at the lower rate than they did the English at the higher rate; and that if the dealers in English fresh meat chose to send as much as the Americans did over the railways, they would be entitled to be charged at the lower rate also. Now, the English farmers said—and, it appeared to him, they said with great truth—that that was an unreasonable and undue preference of foreigners over Englishmen. He was not prepared to say that the Railway Companies were bound to carry small parcels of goods at reduced rates; but what he did contend for was, that they ought not to be allowed to give the goods of foreigners a preferential rate, and thus, practically, prevent the English breeders and farmers from sending their produce to the London market at all. He should be very curious to hear the arguments of even the most ardent Free Trader in their Lordships' House, who would venture to get up and argue in favour of a state of things which was nothing more or less than protection of the foreign as against the English producer, although it might be in favour of the London consumer—and that, in a few words, was what it really was. There was another branch of the same subject to which he wished to call their Lordships' attention. He found that most of the Railway Companies running out of London gave a special rate in favour of foreign corn sent out of London to millers and merchants, as against English corn; and it was a fact that, supposing a quantity of English corn were sent up to London and a quantity of foreign corn imported into the port of London, if both were required to be sent out of London for any purpose whatever, the cost would absolutely be one-third more for the carriage of the English corn than it would for the carriage of the foreign. Now, upon what principle the Railway Companies should give a preference for the carriage of foreign corn as against English corn out of London—a preference to the extent of charging a third more for English than foreign—he really could not understand. What they said was, that it was for the benefit of the local millers, who, in return for the advantages given to them, sent back a large quantity of flour to London over the lines. The practical effect upon the English farmer, however, was that he was obliged to accept for his corn the lower price by 6*d*., 1*s*., and even 1*s*. 6*d*. per quarter. If that was not pure protection by means of the Railway Companies to foreign as against English corn, he did not know what was. Now, taking into account the large quantity of agricultural produce that must or might, and in ordinary cases would be, sent by railway from one part to another, might not this proceeding on the part of the Railway Companies be called killing the goose that laid the golden egg? He did not complain of the advantage they were giving to the foreigners so much as of the fact that they were starving the men who supported them for the purpose of enriching those who really, practically, gave them nothing in return; and he might say that since he had placed his Notice on the Paper, he had received hundreds of letters from farmers from all parts of the country, pointing out the injury that was being done to them, and asking him to advocate in their Lordships' House a policy that would give more encouragement to the English farmer. There was one Question he should like to put to the noble Lord opposite, and that was, Whether Her Majesty's Government considered that this was a subject which would come within the scope of the inquiry of the recently appointed Commission on Agricultural Depression? He trusted also that the Government would not wait until a Ministry of Agriculture had been constituted; but that the Board of Trade would at once take the matter up, and hold out some hope to the British farmer that the injustice to which he was being subjected would be removed.

LORD HENNIKER said, he thought their Lordships would agree with him that there could be no doubt that the question to which his noble Friend opposite the noble Marquess (the Marquess of Huntly) had called the attention of the House that evening was one which deserved every consideration. The facts which his noble Friend had brought before their Lordships certainly appeared to show that the agricultural produce of Great Britain was at a considerable disadvantage as compared with the agricultural produce imported into this country, so far as the rates charged for its conveyance over the railway systems of England and Scotland were concerned. It might, perhaps, be known to their Lordships that the Board of Trade had no means by which they could tell what were the particular rates charged by any Railway Company with respect to any article. The only information they had on that point was the special Acts of each Company, which specified the maximum rates the Companies were respectively authorized to charge. He must, therefore, say that until the noble Marquess brought this question forward, the attention of the Board of Trade had not been directed to the preferential rates which he stated were given to foreign as compared with English produce by the Railway Companies. The noble Marquess was conversant with the provisions of the Railway and Canal Traffic Act of 1873; and he understood him to ask whether the 11th section of that Act did not provide a remedy for the grievances complained of? It was, however, a question upon which he (Lord Henniker) should hesitate to give an opinion, as he could hardly undertake to place an authoritative construction upon the words of an Act of Parliament. He would ask their Lordships to allow him to read the exact words of the Act to which he referred, at the risk of reading to them what they knew already, so as to make his statement as complete as possible. The 11th section provided—

> "That no Company shall make or give any undue or unreasonable preference or advantage to or in favour of any particular person or company or any particular description of traffic, in any respect whatsoever, or shall subject any particular person or company or any particular description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever."

That Act, their Lordships might remember, was passed in consequence of a recommendation of a Joint Committee of their Lordships' House and of the House of Commons, and which was formed of Members of both Houses who were well able to give an opinion upon such questions. In fact, it might be called a very strong Committee. The question of undue preference was gone into most thoroughly before that Committee, and, in consequence of the evidence given, the Act of 1873 became law. This point, however, which the noble Marquess had brought forward was one, as he had said, of great importance; and he might add that a Return, which was ordered by their Lordships' House two years ago, showing the maximum rates authorized to be charged by each Railway Company, would be shortly placed in their Lordships' hands. It would give much information as to the rates which could be levied—it would, not, however, of course, give in any way the information required as to the actual rates charged. Indeed, it was almost impossible to do so—these rates varied so much and were so constantly changed that it would be impossible to prepare such a Return to lay before the House. The noble Marquess wished to know whether the Order of Reference for the Royal Commission which was about to issue on the subject of agricultural depression would contain any specific allusion to the question which he had raised? He (Lord Henniker) could only say that, from what had passed in the other House, it would certainly appear to be the intention of Her Majesty's Government to give as large a scope to the inquiry as possible, and not to limit this important investigation to any narrow lines. If it should be found during the progress of the inquiry that the point mooted was one which could be usefully considered, there was, he thought, but little doubt that the Commissioners would feel they were in a position not to disregard a matter involving such large interests.

THE DUKE OF RICHMOND AND GORDON said, that as the noble Marquess had appealed to the Government on this subject, he rose to say that he fully admitted its importance. The noble Marquess had told their Lordships that he had been treated with every courtesy by the Railway Companies, who had given every information he desired, and which he had now given to their Lordships. From the statement made by the noble Marquess, it appeared that the Railway Companies had made a distinct admission that considerable inequality existed in regard to the carriage of foreign and English agricultural produce, and that, in fact, they were every day breaking the law. He must confess that, under those circumstances, he was very much surprised that no one had thought it worth while to bring the matter before the notice of the Railway Commission. The noble Marquess alluded to the 11th clause of the Act of 1873; but he did not quote what appeared to him to be the still stronger provision in Clause 90 of the Railways Clauses Consolidation Act, 1845, which enacted that a Railway Company should not vary their tolls for the purpose of favouring any particular person, but that all such tolls should at all times be charged equally to all persons and after the same rate for goods of the same description conveyed under the same circumstances. Therefore, he thought it quite possible that when the circumstances became fully known, the remedy for the evil complained of might be found in the existing law.

LORD SELBORNE said, he did not rise to speak with any authority upon such a matter; but he had a strong impression that the kind of remedy which the noble Duke sketched out was, some years ago, tried in the Court of Common Pleas in a case of Oxlade *v.* the North Eastern Railway Company, in which a coalowner considered himself aggrieved with the carrying regulations of the Railway Company. But he believed the decision of the Court was not quite consistent with the interpretation of the clause which the noble Duke thought was clear upon the face of it. Whether the decision was right or wrong, he would not pretend to say, but it had never been appealed from to the House of Lords.

House adjourned at Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 17th July, 1879.

MINUTES.]—NEW MEMBER SWORN—Charles Tennant, esquire, *for* Glasgow.

PUBLIC BILLS—*Ordered—First Reading*—Army Discipline and Regulation (Commencement) * [248]; Commissioners of Woods (Thames Piers) * [249].

First Reading—University Education (Ireland) * [250].

Second Reading—East Indian Railway (Redemption of Annuities) * [244].

Second Reading—Referred to Select Committee—Knightsbridge and other Crown Lands [231].

Committee—Report—Supreme Court of Judicature Acts Amendment [134]; Railways and Telegraphs in India (*re-comm.*) * [234].

Considered as amended—Army Discipline and Regulation [245], *debate adjourned.*

Withdrawn — Poor Law (Scotland) * [122]; Valuation of Lands and Assessments (Scotland) * [144].

QUESTIONS.

SOUTH AFRICA — THE ZULU WAR—THE SUPPLEMENTARY ESTIMATE.

QUESTION.

MR. A. MOORE asked Mr. Chancellor of the Exchequer, When he intends to introduce the Supplementary Estimate for the Zulu War?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that he stated some time ago that he intended to present the Supplementary Estimate before the end of the present month, and he hoped to be able to carry out that intention.

INDIA—NORTH-WEST FRONTIER.

QUESTION.

MR. GRANT DUFF asked Mr. Chancellor of the Exchequer, Whether he is now in a position to name the time at which in accordance with assurances given by him, he will make a statement with reference to the position of affairs on the north-west frontier of India; and, whether, if full explanation can then be given without inconvenience to the public service, he will, on that occasion, inform the House for what objects the recent war was carried on, and what advantages have accrued from it to England or to India?

The CHANCELLOR of the EXCHEQUER: Sir, I understand that a despatch is coming from the Government of India, giving full details of the negotiations with Yakoob Khan; and when that despatch arrives we shall, no doubt, be in a position to lay it on the Table of the House. Then it will be possible to have a fair discussion, if it is desired; but I really cannot undertake to anticipate the discussion which may then take place.

INLAND REVENUE — PROBATE, ADMINISTRATION, AND LEGACY DUTIES.—QUESTION.

Mr. DODDS asked Mr. Chancellor of the Exchequer, What steps he proposes to take in order to give effect to the Resolution of the House upon the Motion of the honourable Member for East Sussex on the subject of Probate, Administration, and Legacy Duties?

The CHANCELLOR of the EXCHEQUER, in reply, said, that any steps which might be proposed to give effect to the Resolution of the House with regard to these duties would involve legislation of a complicated and difficult character, such as it would not be convenient to undertake at a late period of the Session. It would rather be for consideration in another Session, if anything ought to be done.

SURVEYORS OF VESSELS IN THE BLACK SEA.—QUESTION.

Mr. ANDERSON asked the President of the Board of Trade, Whether it be the fact that in 1875 or 1876 Her Majesty's Government caused surveyors to be appointed at certain of the Black Sea ports to see that vessels were loaded in conformity to the Merchant Shipping Acts; and, if so, at what ports these were appointed; and, whether any of these surveyors have since been dismissed, or the survey discontinued; and, if so, at what ports this has been done, when, and for what reason?

Viscount SANDON: Sir, the Consuls were directed to appoint Surveyors at Taganrog, Nicolaieff, Galatz, Sulina, Berdianski, and Kertch, in 1875. They were given up by my Predecessor at the Board of Trade in December, 1877, as the system was, I am informed, found to have failed in its object, owing to many reasons. Among others, great difficulty was experienced by the Consuls in obtaining persons who were at once trustworthy, independent, and competent to undertake the inspection of grain-laden vessels; and the results, after careful investigation, appeared to be unsatisfactory and inadequate; and in the case of an inquiry before the Wreck Commissioner, it was found that when the master or owner was distinctly in fault for not having complied with the Act, he could not be dealt with because the Surveyor at the foreign port had passed the ship. I shall be happy to look over the Papers upon this subject, and to show such as throw light upon the matter to the hon. Gentleman.

EAST INDIA MUSEUM, SOUTH KENSINGTON.—QUESTIONS.

Mr. WAIT asked the Under Secretary of State for India, Whether, in view of the forthcoming abolition of the Indian Museum, and the disposition of its contents, he will be prepared favourably to consider applications from provincial museums connected with schools of art for portions of the collection?

Mr. WILBRAHAM EGERTON asked the Under Secretary of State for India, Whether, before the Secretary of State for India finally decides on the dispersion of the India Museum, he will state to the House what is proposed to be done with the various portions of the collection; and, whether he will have any objection to lay upon the Table any Memorials relating to the establishment in London of an Indian Museum, addressed to Her Majesty's Government by the Association of Chambers of Commerce of the United Kingdom, and by the Chambers of Commerce of Manchester, Liverpool, Bradford, Birmingham, and Glasgow, or any other documents bearing on the subject?

Mr. E. STANHOPE: Sir, the Secretary of State in Council has finally decided on the removal of the collections now in the India Museum for the reasons

I stated the other day, and a Committee has been appointed to consider the details of the arrangement. The important subject raised by my hon. Friend the Member for Gloucester (Mr. Wait)—namely, applications from Provincial museums connected with Schools of Art for portions of the collection—has been specially referred to it, and I can assure him it shall not be lost sight of. With regard to those portions of the collection in which my hon. Friend the Member for Cheshire (Mr. W. Egerton) is specially interested, and as to which his advice would be of the greatest value, I hope he will consent to put himself into communication with the Committee. There is no particular objection to the production of the Memorials mentioned by my hon. Friend, except that it would appear to involve a very useless expense, as they have already been printed and made public, and refer to wholly different proposals from those which are now made.

Mr. E. JENKINS asked, Whether, before the dispersion of the collection, an opportunity would be given the House to consider the subject?

Mr. RATHBONE asked, Whether, before the dispersion, an opportunity would be given the large towns to see the collection in its entire state?

Mr. E. STANHOPE, in reply, said, he was afraid he could not give the engagement the hon. Member for Dundee (Mr. E. Jenkins) asked for, because it would involve the postponement of the matter until next Session, and would impose additional expense on India. He hoped the House would be content to allow the Executive to carry out the details in such a manner as they might be advised by competent persons. With regard to the Question of the hon. Member for Liverpool (Mr. Rathbone), he did not see how it was possible to send round to the large towns the whole of the collection. [Mr. Rathbone: Or portions of it?] In any case, if what the hon. Gentleman asked was done, it certainly could not be at the cost of the revenues of India.

AGRICULTURAL DEPRESSION COMMISSION—INDIAN WHEAT.—QUESTION.

Mr. WILBRAHAM EGERTON asked Mr. Chancellor of the Exchequer, Whether the Report on Indian Wheat by Dr. Forbes Watson, which has been presented to the House, will be referred to the Royal Commission on Agricultural Depression?

The CHANCELLOR of the EXCHEQUER: Yes, Sir; there would be no objection to that.

ARMY—THE 60th RIFLES—CASE OF COLOUR-SERGEANT DICKATY.

QUESTION.

Mr. PRICE asked the Judge Advocate General, Whether it is true that Colour-Serjeant Dickaty of the 60th Rifles was recently tried by court martial in South Africa and sentenced to five years' penal servitude for misbehaviour before the enemy; whether it is true that the prisoner has been brought to England, released, and ordered to rejoin his regiment at Winchester in his original rank of Colour-Serjeant; if he will state the description of court martial, *i.e.* whether general or district, before which the prisoner was tried, the exact charge on which the prisoner was arraigned, and the sentence of the court passed upon him; whether the sentence was confirmed by the officer convening the court; whether the sentence was subsequently remitted; or whether the proceedings of the court martial were quashed; and, whether the fact of his having been so tried will be recorded against him in the Regimental Defaulters' Book?

Mr. CAVENDISH BENTINCK: Sir, Colour-Sergeant Dickaty was tried by general court martial on the 6th day of April last, under the 52nd Article of War, upon the charge of "shamefully abandoning a post which it was his duty to defend." The court found him guilty of the charge, and inflicted a sentence of reduction to the ranks and five years' penal servitude. The finding and sentence of the court were confirmed on the 6th day of April last, and the prisoner was sent home without delay. The proceedings of the court were submitted to me in due course on the 13th day of June last, when I was of opinion that the evidence adduced for the prosecution did not legally warrant the finding, and I, therefore, advised the confirming officer that the finding was not in conformity with law, and that the prisoner ought not to be made subject to the consequences of the conviction. The opinion I thus expressed was communicated to the Horse Guards, and I am informed that Colour-Sergeant Dickaty was immediately released on his arrival in England and returned to his duty at Winchester.

ELEMENTARY EDUCATION ACT—HORLEY SCHOOL BOARD.

QUESTION.

MR. RICHARD asked the Vice President of the Committee of Council on Education, Whether he is aware that on the 16th of June the School Board of Horley, Surrey, at the instance of the Rev. E. J. Peckover, the chairman, refused to appoint Ada Thomas as a pupil teacher solely on the ground that she was a Nonconformist, though her character and qualifications were otherwise unexceptional, and no other candidate appeared for the office; and, whether steps will be taken to prevent a repetition on the part of the Board of a similar proceeding?

LORD GEORGE HAMILTON: Sir, I have seen in the newspapers the statement referred to by the hon. Gentleman. I have also received a letter from the Rev. E. J. Peckover, in which he states that it is not true that the Board of which he is chairman rejected Ada Thomas as pupil teacher solely on the ground that she was a Nonconformist. There were other reasons why Miss Thomas was not appointed, one reason being that the master of the school had deterred other candidates from coming forward who might have been eligible. The letter also showed that the previous pupil teacher who was appointed was a Nonconformist. Much as I object personally to any exhibition of religious intolerance, I am bound to say that I find it pretty evenly distributed, and that if any regulation were made by the Education Department interfering with the discretion of managers and dictating to them whom they might or might not employ, the Education Act in this country would be very difficult to work.

ARMY—ARTILLERY—THE NORDENFELT GUN.—QUESTION.

COLONEL ARBUTHNOT asked the Surveyor General of Ordnance, Whether the "Nordenfelt" gun, stated to have been adopted by this Country, is the same as the "Palmcrantz" mitrailleur; and, whether any and how many of these weapons have been ordered, and what are the terms of the contract?

LORD EUSTACE CECIL, in reply, said, that the "Nordenfelt" gun was very much the same as the "Palmcrantz" mitrailleur; and, as the pattern under which it had been supplied was that of Mr. Nordenfelt, it was known by that name. It was understood that Mr. Nordenfelt had improved upon the "Palmcrantz," and 100 guns had been ordered for the sea service. It was unusual to make the terms of a contract public, but he should be glad to show them to the hon. and gallant Gentleman privately.

IRELAND—THE DONEGAL FISHERIES—CORRESPONDENCE.—QUESTION.

MAJOR O'BEIRNE asked the Chief Secretary for Ireland, If he has any objection to place upon the Table of the House the Correspondence that has passed between Mr. William Sinclair, of county Donegal, and the Chief Secretary for Ireland, relative to the management of the fisheries in the county Donegal by Mr. Brady, inspector of fisheries?

MR. J. LOWTHER: Sir, I have no objection to placing a Copy of this Correspondence on the Table of the House; but, perhaps, as the Question is only of local interest, the hon. and gallant Gentleman will be satisfied if a Copy is placed on the Table and not printed.

CRIMINAL LAW—RELEASE OF ANN BRADLEY.—QUESTIONS.

MR. SULLIVAN asked the Chief Secretary for Ireland, Whether it is true that the Government have released from punishment Ann Bradley, convicted of and sentenced to fourteen years' penal servitude for an attempt to murder an aged lady, Miss Emily Geoghagan, at Morehampton Road, Dublin, in 1875, that attempt having been made with more than usual barbarity; and, whether he is aware that Miss Geoghagan, in terror of the released convict, is now compelled to live out of Ireland, and is still suffering seriously from the effects of the murderous attempt upon her life?

MR. J. LOWTHER: Sir, I believe the facts of this case are substantially as stated by the hon. and learned Gentleman. As a general principle, I am strongly opposed to the plan of releasing convicts so long before the expiration of their sentences; but in this instance it appears that Bradley was released in 1876 in consequence of a medical report to the effect that she was suffering from consumption, and that further incarceration would be endangering her life. As she seems to have been discharged without a ticket-of-leave, the Government has now no power to do more than assure Miss Geoghagan of the fullest protection, which the police have been instructed to afford her, in the event of her returning to Ireland.

Mr. SULLIVAN: Sir, would the right hon. Gentleman allow me to ask him on whose responsibility was this woman released after so short an incarceration on so long a sentence without a ticket-of-leave?

Mr. J. LOWTHER: She was discharged in consequence of the medical report I have alluded to, on the ground of her life being in danger.

COPYRIGHT LEGISLATION.

QUESTION.

Mr. E. JENKINS asked the Postmaster General, When the Government Copyright Bill will be printed and in the hands of Members; and, whether any arrangement has been come to with the United States Government for the appointment of a joint International Commission on Copyright, as proposed by Messrs. Harper Brothers, of New York, or whether any such Commission is in contemplation?

Lord JOHN MANNERS: Sir, I hope before the end of the month to ask leave to introduce a Bill on the subject of Copyright. As to the second part of the Question, no arrangement has been come to with the United States Government for the appointing of an International Commission, nor am I aware that any such arrangement is in contemplation.

EDUCATION DEPARTMENT—SALARIES OF SCHOOLMASTERS.—QUESTION.

Sir GEORGE JENKINSON asked the Vice President of the Committee of Council on Education, Whether his attention has been directed to the constantly increasing expenditure of Schools under the Education Act, by the employment of masters with a high art certificate at a much higher salary than a man without such an extra qualification could command (namely, an ordinary certificated master) with the avowed object of making the school earn much more, such extra earning and extra learning eventually coming out of the pockets of the ratepayers; whether it was originally contemplated and intended by the Education Act of 1870 that such a result should ensue at such an extra cost to the ratepayers, especially in rural districts; and, whether the Government intend taking any steps to discourage such extra cost being incurred by placing a limit to the salaries to be paid to schoolmasters, or, at all events, by making those who desire to receive such a high education pay the extra expense of it themselves instead of throwing it on the ratepayers as now is the case?

Lord GEORGE HAMILTON: Sir, no doubt, the salaries of masters have considerably risen during the last few years, partly owing to an increased demand and partly to the higher qualifications of the teachers. No doubt, school managers do sometimes pay a higher salary in order to attract a more competent master, but as this is entirely optional on their part, I can hardly so interfere with their discretion as exactly to prescribe the salaries which they may or may not pay to those whom they employ, although, I think, it is advisable to make the payment of school fees to a great extent dependent upon the character of the education given.

ARMY AND NAVY EXCHANGES.

QUESTION.

Mr. BIDDULPH asked the Secretary of State for War, Whether in the case of a midshipman who has passed his examination for his sub-Lieutenancy, and who wishes to exchange into the Army, and being eligible in other respects, as to age and good conduct, he sees any reason why he should not be placed in as favourable a position as a Militia Officer who has served his two trainings and passed the examination required of him for a commission in the Army; and whether, he will consider the propriety of altering the regulations which at present will not permit him to do so?

COLONEL STANLEY, in reply, said, he had not had time to look very strictly into the matter, but he was informed the conditions of the service were entirely different. The experience required in a sub-lieutenant in the Navy would scarcely be equivalent to that of a Militia officer in the case supposed. But a sub-lieutenant in the Navy, if not disqualified by age, would still be able to enter the Army through the Militia.

POST OFFICE CONTRACTS—PENINSULAR AND ORIENTAL STEAM COMPANY.—QUESTION.

MR. J. HOLMS asked the Secretary of State for the Colonies, If he has obtained or will obtain information as to whether the new Postal Contract between the Government of Victoria and the Peninsular and Oriental Steam Company will or will not be carried out, should the new Postal Contract between Her Majesty's Government and the Peninsular and Oriental Steam Company not receive the sanction of Parliament?

SIR MICHAEL HICKS-BEACH: Sir, I have not obtained any information on this subject. I would consider if I could properly ask for it, if the hon. Member could suggest to me any reason on which I could base the request. But if I rightly understand the Question, it seems to me that I should hardly be justified in asking the parties to this contract, with which we have nothing to do, to inform me what, in their opinion, their legal position might be with regard to it in a contingency which I trust may not arise.

AFGHANISTAN—WAR CORRESPONDENTS.—QUESTIONS.

MAJOR O'BEIRNE asked the Secretary of State for War, If any reply has been received from General Roberts, explaining his reasons for dismissing from his head-quarters Mr. M'Pherson, the correspondent of one of the London daily newspapers, and for the appointment by him of one of his own staff to act as correspondent; and, if there is any objection to lay upon the Table of the House the Correspondence relative to this subject?

MR. E. STANHOPE: Sir, in accordance with the promise made to the House, I caused a letter to be written to General Roberts on this subject, and have received from him a reply which, with the permission of the House, I will read—

"Head-quarters, Kurram Column, Camp Kurram, April 18, 1879.

"On Mr. M'Pherson receiving his dismissal from my camp, I gave him to understand that, in the interests of *The Standard* newspaper, I would appoint some officer in this force to carry on the duties of correspondent until such time as an accredited successor should arrive. My selection for the moment fell upon Captain Pretyman, my aide-de-camp, for the following reasons:—1. At the time of the assault on the Peiwar Kotal, when Mr. M'Pherson was on the sick list and unable to witness the operations, he requested Captain Pretyman to write a telegram and letters to *The Standard* describing the action of the 2nd of December and subsequent operations. On my consenting to this arrangement Captain Pretyman performed this service for Mr. M'Pherson. The telegram and the two letters appeared in due time in the columns of *The Standard*, and under the head of 'From our Special Correspondent.' On more than one occasion later on Mr. M'Pherson requested Captain Pretyman to write military letters descriptive of the operations of this column. All of these were written and signed by Captain Pretyman. 2. Mr. Boyle, the special correspondent of *The Standard* with the Candahar column, had requested Captain Pretyman, with whom he travelled from London to Bombay in October last, to write any military letters descriptive of the operations of the Kurram column which he might feel disposed to send to *The Standard*. Bearing in mind these facts, I naturally came to the conclusion that Captain Pretyman was the officer especially designated by circumstances to fulfil the duties of correspondent to *The Standard* during the interim which might elapse before Mr. M'Pherson's successor should arrive. Within 24 hours of my making the offer to Captain Pretyman, Mr. M'Pherson, on leaving the camp, signified to me his wish that another officer—namely, Captain Woodthorpe, R.E.—should take up the duties of correspondent. I immediately sent for that officer and asked him to act, an arrangement which was more acceptable, for obvious reasons, both to myself and to my aide-de-camp. Captain Woodthorpe then sent telegrams and letters to *The Standard* until relieved of this duty, very shortly afterwards, by order of his Excellency the Commander-in-Chief. With regard to the military correspondents of other London papers, neither of the officers representing *The Times* and *Daily Telegraph* belonged to the Head-quarter Staff of the Kurram Column.

"FRED. ROBERTS, M.G., Commanding Kurram Field Force."

Afterwards—

MR. OTWAY said: Sir, I desire to put a Question on this subject to the Secretary of State for War. The hon. Gentleman the Under Secretary of State for India read just now a despatch from the general officer commanding in the Kurram Valley. In that despatch there is an account of a controversy which occurred between the general officer and the correspondent of a daily London paper, and he announced, if I gathered the words of the despatch correctly, that he had appointed as a correspondent of that paper an officer on full pay on his own staff. He further announced that an officer had been appointed from the Candahar column to correspond for a London daily newspaper, and also that he had entertained proposals from the correspondent of this newspaper that a captain of Engineers should be appointed in his place. [" Order, order ! "] I am strictly in Order, as I am only quoting from what has been already read, and out of which arises the Question I now wish to address to the right hon. and gallant Gentleman the Secretary of State for War. I desire, first of all, to ask him, Whether it is consistent with discipline —indeed, whether there is not a positive Order prohibiting officers on full pay from corresponding for the Press; secondly, whether it is true that the commander of the Kurram Valley Force appointed an officer as correspondent; and, thirdly, if this was so, whether the officer was relieved from duty for that purpose, whether there was a sufficiency or redundancy of officers in order to allow of one on full pay and active employment being designated for the additional duty of correspondent for a London daily newspaper?

Colonel STANLEY: If the hon. Gentleman will be kind enough to give Notice I shall be happy to answer that Question. He is aware, perhaps, that the officers in the Army are for some purposes entirely under the Indian Government, and I should hardly like to speak of a matter arising out of the Queen's Regulations in that country without having the opportunity of some reference to the India Office to see where our responsibility begins and where it ends.

SOUTH AFRICA—SIR GARNET WOLSELEY'S INSTRUCTIONS.—QUESTIONS.

Mr. SULLIVAN asked the Secretary of State for War, If he will lay upon the Table, as promised, the instructions issued to Sir Garnet Wolseley on his appointment to command in South Africa, especially with regard to acceptable terms of peace?

Colonel STANLEY: I am unable to comply with the request of the hon. and learned Gentleman, for the simple reason that there are no such instructions. The only instructions given by me or the military authorities to Sir Garnet Wolseley were verbal, and they were simply to this effect, as I believe I have stated once before—he was desired to use every effort to bring the war to a successful close as early as possible and to insure an honourable peace.

Mr. SULLIVAN asked the Secretary of State for the Colonies, Whether he has any objection to lay on the Table the instructions to Sir Garnet Wolseley, which it was stated at the time would be printed as soon as circumstances would permit?

Sir MICHAEL HICKS-BEACH: Sir, there was a letter containing general instructions sent to Sir Garnet Wolseley with his commissions, which will be laid on the Table before the Vote of Credit is taken.

CRIMINAL LAW—CONVICTION OF AMBROSE PENTNEY.—QUESTION.

Mr. MACDONALD asked the Secretary of State for the Home Department, If his attention has been called to a paragraph in the " Daily News " of the 14th instant, headed " Singular Conviction," in which it is stated that on Monday last Ambrose Pentney was brought before the bench of magistrates at Mistley, on a charge of neglecting his work for an hour and a-half, and ordered to pay five shillings; that it was stated the man was attracted to a house near where he was employed by cries of murder, and on entering it found that a madman was struggling with his keeper, and would probably have murdered him, and that was the time he was off from his work; and, whether he will cause the matter to be inquired into, and, if possible, the order for the payment of the money and costs stayed?

Mr. ASSHETON CROSS, in reply, said, that according to a letter he had received from the chairman of the magistrates, this was not a conviction, but a civil proceeding, with which, of course, he could not interfere. The facts of the case had been represented to him as being somewhat different from those set forth in the Question. It appeared that the man was absent from his employment for two days, and his absence was the cause of some loss to the farmer who employed him, in consequence of two horses being kept idle. No doubt, the man was asked by the relieving officer to assist a warder in taking charge of a lunatic; but the relieving officer, on the second day, told the man that he should have obtained the permission of the farmer who employed him. The relieving officer paid him 20*s.* for his services for the two days, and the magistrate thought the man ought to recoup the farmer for the loss he had sustained to the extent of 5*s.* out of the 20*s.* The complainant waived all demands for costs, which were not paid. At the termination of the case, the magistrate congratulated the parties on the matter being satisfactorily settled between employer and employed without any painful feeling being left on either side.

TRAMWAYS ACT, 1870—REPAIR OF LINES.—QUESTION.

COLONEL BERESFORD asked the Secretary of State for the Home Department, By whose authority the Tramway Company or Companies using the Blackfriars Road and the Old Kent Road have, as regards the first-mentioned road, broken up the entire surface of all the roadway, leaving heavy ground for carriages and other vehicles to pass over, and, in the latter case, have only left one passage for vehicles, causing great delay in the traffic; and, by what authority the Tramway Company in the Old Kent Road is allowed to alter the level of the road, thereby forcing all carriages and vehicles to drive over rubbish nearly eighteen inches high from the old level to the new?

VISCOUNT SANDON: This is a matter which rests with the local authorities, and the Board of Trade has no business to interfere with it, for it has no power; but I may inform my hon. and gallant Friend that the tramways in question were authorized by the Pimlico, Peckham, and Greenwich Street Tramways Act, 1870, 33 & 34 *Vict.* cap. 174. By Section 14 of that Act and by the provisions of the general Tramways Act of 1870, the Tramway Company were bound to make arrangements with the local authorities before they commenced to break up the streets. The matter rests entirely with the local authorities; the Board of Trade has no information as to the facts to which the hon. and gallant Gentleman refers, and has no power of interference.

POOR LAW—SPIRITUAL MINISTRATIONS IN WALSALL WORKHOUSE.

QUESTION.

MR. SULLIVAN asked the President of the Local Government Board, If he has any objection to lay upon the Table Copy of Correspondence between his Department and the Poor Law authorities and Catholic clergymen in Walsall as to recent complaints of neglect or hindrance of spiritual ministrations to sick and dying paupers in Walsall Workhouse?

MR. SCLATER-BOOTH, in reply, said, there would be no objection to the production of the Papers, if the hon. and learned Gentleman would move for them.

LAW OF SUCCESSION IN MAHOMEDAN STATES.—QUESTIONS.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for Foreign Affairs, Whether the Foreign Office is in possession of information which can be laid before the House respecting the Law, or customs regulating the succession in the Royal and reigning families of Turkey, Persia, Morocco, Zanzibar, and Tunis?

MR. BOURKE: Sir, there is a great deal of Correspondence in the Foreign Office on the subject; but I am not prepared to state just now that it is of sufficient importance to justify its being laid before Parliament. However, my hon. Friend can peruse it and communicate with me, and if it is worth while to make it public, there is no objection to do so. According to the best authorities I can consult, there is no written law of succession in Mahomedan countries, but the matter is decided in different nations according to custom. With regard to the countries mentioned, I could not give any information within the limits of an Answer to a Question; but, generally, I may say there is no written law, and the succession is determined by dynastic or political considerations.

SIR H. DRUMMOND WOLFF asked the Under Secretary of State for India, Whether the India Office is in possession of any information which can be laid before the House respecting the Laws or customs regulating the succession in the Royal and reigning families of Afghanistan and other Mahomedan States in India?

Mr. E. STANHOPE: Sir, a great deal of information on this subject has already at different times been laid before Parliament; but the fact is, that the laws and customs regulating the succession in the Royal and governing families in the Mahomedan States of India are so various that it is impossible, within reasonable limits, to give any further information which would show the existence of any fixed rule upon the subject, further than was pointed out in Lord Canning's adoption despatch in April, 1860.

THE RIVERS CONSERVANCY BILL—A ROYAL COMMISSION.—QUESTION.

Mr. ARTHUR PEEL asked Mr. Chancellor of the Exchequer, Whether, seeing that the Government have withdrawn their Rivers Conservancy Bill, while the need of legislation on the subject is becoming daily more pressing, the Government will consent to the issue of a Royal Commission to examine into the condition of one or more selected river basin areas, and to report upon the best means of constituting a conservancy authority, and upon the fairest practical principles of rating and representation?

The CHANCELLOR of the EXCHEQUER: Sir, the Government have considered the question, and they are not of opinion that it would be desirable, at present, to appoint a Royal Commission.

THE RAILWAY COMMISSION CONTINUANCE.—QUESTION.

Mr. BAXTER asked the President of the Board of Trade, If the Government mean without fail to introduce a measure, before the close of the present Session, providing for the continuance of the Railway Commission?

Viscount SANDON: Sir, it is certainly the intention of the Government to propose to the House to continue the Railway Commission, and we should propose to continue it for not less than three years.

Sir H. Drummond Wolff

POST OFFICE (TELEGRAPH DEPARTMENT).—FEMALE CLERKS.

QUESTION.

Mr. CHAMBERLAIN asked the Postmaster General, Whether it is a fact that some years ago the salaries of telegraph clerks were fixed, according to a classification then arranged, at the following rates: Probationary 8*s.* to 14*s.* a-week; Third Class 14*s.* to 17*s.*; Second Class 17*s.* to 24*s.*; Maximum 30s.; whether it is true that during the last three to four years no female clerk has been promoted beyond the third class, and that vacancies in the superior classes have been filled up in all cases by the promotion of male clerks; and, whether it is intended by the department that 17*s.* a-week shall be the maximum allowed to female clerks, however competent and whatever the length of their service; and, if not, if he would state why no promotion of female clerks into the second class has been recently permitted?

Lord JOHN MANNERS: Sir, in 1872 the scale was fixed as follows:—Probationers, 8*s.* to 14*s.* per week; third class, 14*s.* to 17*s.*; second class, 18*s.* to 24*s.*; and first class, 25*s.* to 30*s.* With a slight alteration which worked beneficially, that scale is still in operation, but the exigencies of the Service have recently required the appointment of more male clerks. The question of the promotion of the female clerks is, however, now under consideration, and it is not intended that 17*s.* per week should be the maximum allowed to female clerks.

Mr. CHAMBERLAIN pointed out that the noble Lord had not replied to the second part of his Question.

Lord JOHN MANNERS: I thought I had explained that recently, owing to the exigencies of the Public Service, male clerks have been more largely employed, and especially for night and newspaper work, and consequently there has been a delay in the promotion of female clerks.

CRIMINAL LAW—THE CONVICT PERRYMAN.—QUESTION.

Mr. BIGGAR asked the Secretary of State for the Home Department, If he will grant permission to Mr. Elworthy, parliamentary agent of the

Criminal Law Amendment Association, to take with him to the gaol where Perryman is incarcerated a Commissioner to take a statutory declaration of the prisoner, and for him to sign a Petition to the House of Commons setting forth his innocence, of which the Society is satisfied, and that Mr. Elworthy and the Council of the Society may have access to the handkerchief with which the deceased was hanged?

MR. ASSHETON CROSS, in reply, said, he could not understand why this application was not made to him in the usual form at the Home Office, instead of by way of Question in the House. He was not prepared to deviate from the rules and the usual practice as to visits to convicts under penal servitude. The prisoner was at liberty to sign any statement or Petition to the Secretary of State if he desired, but he could not be allowed to be visited by a legal officer with a Petition prepared by others outside. The handkerchief in question was produced at the trial, and was handed over to the police, who would certainly allow it to be inspected under proper restrictions; and one gentleman interested in the prisoner's case was so informed some time ago.

CHARTERED BANKS (COLONIAL) BILL.

QUESTION.

MR. FRESHFIELD asked Mr. Chancellor of the Exchequer, When he proposes to proceed with the Bill relating to Colonial Chartered Banks?

THE CHANCELLOR OF THE EXCHEQUER: Sir, this is a Bill that has received a good deal of consideration, and I am now only waiting for an opportunity of introducing it. I have hitherto rather delayed its introduction, with the view of avoiding any confusion between that Bill and the Banking and Joint Stock Companies Bill.

THE AFGHAN WAR—VOTE OF THANKS TO THE ARMY.—QUESTION.

MR. ONSLOW asked Mr. Chancellor of the Exchequer, Whether it is the intention of Her Majesty's Government to move a Vote of Thanks to the Officers, Non-Commissioned Officers, and Men of Her Majesty's European and Native forces for their gallant conduct during the recent Afghan War?

THE CHANCELLOR OF THE EXCHEQUER: Yes, Sir, it is the intention of the Government to propose such a Vote of Thanks, but I am not at the present moment able to say on what day it will be done.

THE AGRICULTURAL COMMISSION—THE COMMISSIONERS.—QUESTION.

MR. NEWDEGATE asked Mr. Chancellor of the Exchequer, When the House may expect that Her Majesty's Ministers will inform this House of the names of the persons whom Her Majesty will appoint as Commissioners, in accordance with the Address voted by this House on the 5th of this month, recommending that inquiry be made as to the depressed condition of the agricultural interest, and into the causes to which this is attributable; whether these causes are of a temporary or of a permanent character; and how far they have been created by and can be remedied by legislation?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the Government have been engaged in carefully considering the proper composition of the Commission. This is a matter of considerable importance, and cannot be settled in a hurry. I can safely assure the House and my hon. Friend that no delay will take place in communicating to the House the names of the Commissioners as soon as they have been decided upon.

UNIVERSITY EDUCATION (IRELAND)—ALLEGED PROPOSAL OF THE GOVERNMENT.—QUESTION.

MR. FAWCETT asked the Chief Secretary for Ireland, Whether it is the case, as has been alleged, that a proposal on the subject of Irish University Education was made not long since on behalf of the Irish Executive, and that a Petition in favour of this proposal, very influentially signed by the Roman Catholics of Ireland, was forwarded to the Prime Minister; and, if such proposal was made, whether he will inform the House of its nature; and, whether it is the intention of the Government to proceed with the Irish University Bill this Session; and, if so, on what day the Second Reading will be taken?

MR. J. LOWTHER: No, Sir, it is not the case that any proposal on the subject of University Education in Ireland has ever been made by the Irish Executive. At the same time, I need hardly say that private communications, unofficially conducted, have from time to time passed upon this, as upon most other subjects of public interest in Ireland, between Members of the Irish Government and persons representing or holding various religious opinions, a course which the experience of successive Governments has found conducive to the interests of Public Business. The hon. Gentleman asks whether a Petition, very influentially signed by the Roman Catholics of Ireland, was forwarded to the Prime Minister? I find that three Memorials, or Declarations, as they appear to be called, have been received by the Prime Minister. Two of these were from the Roman Catholic laity of Ireland, and are already in the hands of hon. Members as Parliamentary Papers. The third, which emanates from the Catholic Union of Ireland, will also be laid upon the Table. I find, on referring to these documents, that one of them expresses itself as follows:—

> "We, the undersigned, deem it to be our duty to reiterate the opinions expressed by the Roman Catholic laity of Ireland in the year 1869 on University Education in Ireland."

It then goes on to reiterate the opinions previously expressed at the date referred to. The other two documents urge the adoption of the Bill of the hon. Member for Roscommon (the O'Conor Don). In none of them, however, is there any reference to any supposed proposal from anybody else. It certainly is the intention of the Government to proceed with the Irish University Bill this Session, and I hope the second reading may be taken in the course of next week; but, in the present state of Business, I cannot name any particular day.

MR. SULLIVAN: Is it not the fact, that on the basis of those semi-official understandings, proposals, or negotiations, a satisfactory conclusion was arrived at at the time, and that the proposal now before Parliament is almost a complete departure from that understanding?

MR. J. LOWTHER: Sir, I have already frankly stated everything I know, and pointed out that there were no proposals or arrangements, semi-official or otherwise, and I must leave the House to form its own opinion upon the matter.

CRIMINAL LAW—THE STRIPPING AND SEARCHING OF PRISONERS.

QUESTIONS.

MR. H. B. SHERIDAN asked the Secretary of State for the Home Department, Whether he will cause inquiry to be made into the practice of stripping and searching all persons taken to police stations, whether male or female, or whether charged with criminal offences or not; whether the indiscriminate searching of persons, if it be so, not charged with any criminal act is necessary; and, whether the method of searching is properly conducted and not of a sort, as has been frequently alleged, to outrage decency and propriety?

MR. ASSHETON CROSS was understood to reply that persons charged with felony and certain misdemeanours, and also drunken and riotous persons, were searched on being received at the police station, in order to secure the safe custody of their property, and to deprive them of any dangerous weapons while in custody. The search, however, was always conducted in the cell, and as decently as possible. In the case of female prisoners, a female searcher was appointed for the purpose. No complaint of any outrage upon decency had ever reached the Commissioner of Police, and if any case of that kind came before him (Mr. Assheton Cross), he would take care that the offender was punished.

MR. SHERIDAN asked whether the right hon. Gentleman had not been informed that a murderous conflict had taken place at Derby owing to the searching of a prisoner?

MR. ASSHETON CROSS replied in the negative, and asked the hon. Gentleman to repeat the Question on Monday.

SCOTCH BILLS.—QUESTION.

MR. R. W. DUFF asked the Lord Advocate, Whether it is his intention to proceed with the Poor Law (Scotland) Bill and the Valuation of Lands and Assessments (Scotland) Bill during the present Session?

THE LORD ADVOCATE (Mr. WATSON): Sir, I propose to ask the leave of the House to withdraw the Poor Law (Scotland) Bill, and to introduce in lieu of it a short measure containing those five clauses which deal with medical relief and the superannuation of poor-house officials. I propose, also, by leave of the House, to withdraw the Valuation Bill.

INDIA—THE NORTH-WEST FRONTIER.

QUESTION.

THE MARQUESS OF HARTINGTON: In reference to an answer given to my hon. Friend the Member for the Elgin Burghs a short time ago, I should like to know, Whether the Government have departed from the intention which they announced at the beginning of the Session, and afterwards on the adjournment for the Easter Holidays, of making themselves a statement on the position of affairs on the North-West Frontier. I understood the right hon. Gentleman to say that he intended shortly to lay a despatch on the Table. I wish to know whether, on the production of these Papers, a discussion will arise? I think the right hon. Gentleman once said he intended himself to call attention to the position of these affairs. I should like to know whether that is still his intention?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I had forgotten the precise circumstances to which the noble Lord refers; but there will be no indisposition on the part of the Government to afford, or, if necessary, to make, an opportunity for a statement in regard to the position of affairs on the North-West Frontier of India. I have no desire to evade any arrangement which may have been made; but I had forgotten the circumstances to which the noble Lord refers.

PRIVATE BILLS (GROUP A)—TOWER HIGH LEVEL BRIDGE (METROPOLIS) BILL—BREACH OF PRIVILEGE.

MOTION.

THE CHANCELLOR OF THE EXCHEQUER: A few days ago, the House appointed a Select Committee to consider a question of Privilege. The Report of that Committee was presented yesterday afternoon by the Chairman, and we are promised the evidence in a few days, and I think we shall get it probably on Saturday. I think it will be convenient that we should wait until we have the evidence in our hands, and have had time to read and consider it, and I will, therefore, now move that the Report of the Select Committee on Privilege, Tower High Level Bridge Metropolis Committee, be taken into consideration on Tuesday next at 2 o'clock.

Motion *agreed to.*

BUSINESS OF THE HOUSE.

QUESTION.

In reply to Mr. DILLWYN,

THE CHANCELLOR OF THE EXCHEQUER said, that with regard to the Business of to-morrow, he could do no more than refer to the position of the Army Discipline and Regulation Bill. He did not know whether it was to be anticipated that the Report would be agreed to to-day. If it were not, it would be proceeded with at a Morning Sitting to-morrow. In any circumstances, he hoped they would be able to close the consideration of the Report to-morrow, and be allowed to read the Bill a third time, to avoid the inconvenience of a Saturday Sitting, which would otherwise be necessary. With regard to Monday next, it would be necessary to take Supply, and the first Votes to be taken would be those for the Queen's University and Queen's Colleges, and the other Irish Votes.

ORDERS OF THE DAY.

ARMY DISCIPLINE AND REGULATION BILL—[BILL 245.]

(*Mr. Secretary Stanley, Mr. Secretary Cross, Mr. William Henry Smith, The Judge Advocate General.*)

CONSIDERATION.

Order for Consideration, as amended, read.

Motion made, and Question proposed, "That the Bill, as amended, be now taken into Consideration." — (*Colonel Stanley*).

THE MARQUESS OF HARTINGTON: In rising, Sir, to move the Amendment of which I have given Notice, namely—

> "That no Bill for the Discipline and Regulation of the Army will be satisfactory to this House which provides for the permanent retention of corporal punishment for military offences;"

it is necessary that I should say a few words in explanation of the reasons which have induced me to take this step —a course which differs somewhat from that which was discussed on Tuesday last. The House will recollect very well the general character of that discussion, and I think it unnecessary that I should refer to it at any length. But it is desirable that I should remind the House that on that day I stated my views on the position of the question of corporal punishment in consequence of the action of the Government on the Army Discipline and Regulation Bill, and I made a suggestion to the Government. I stated my view that after what had passed it would be impossible that corporal punishment could be retained permanently in the Army, except in a very limited class of cases, and I made a suggestion which I thought would be acceptable in the circumstances. Now, Sir, I find that there has been some misapprehension as to what exactly the scope of the suggestion I made was, and, perhaps, it is desirable that I should repeat it. I stated that I, and a good many hon. Members on this side—on all sides, I believe—appeared to be considerably impressed by one of the arguments put forward by supporters of corporal punishment—that, on active service and in a certain class of circumstances, there might be no alternative to the commanding officer but to inflict the punishment of death ; that the cases in which corporal punishment is inflicted were few in number and that, as I have said, there might be no alternative but to inflict the punishment of death instead of corporal punishment. Well, Sir, in order to meet that argument, I suggested to Her Majesty's Government the adoption of a clause which had been laid on the Table, but was subsequently withdrawn, by my hon. and learned Friend the Member for Stockport (Mr. Hopwood); and in order that there might be no misconception as to the meaning of Parliament in passing the clause, in order that it might be made quite clear that it was not proposed that the sentence of death should be recorded merely for the purpose of corporal punishment being inflicted, but that the intention was to confer on the commanding officer a power of commutation in cases where he thought the recorded punishment of death should not be inflicted, I took the somewhat unusual course of suggesting that there should be prefixed to that clause a Preamble by which that intention might be expressed. Sir, that proposal was very definitely rejected by the right hon. and gallant Gentleman the Secretary of State for War. I also stated that, in my opinion, if that suggestion could not be accepted, there was no alternative for me and those who agreed in the view I took, as the matter then stood, but to vote for the total abolition of corporal punishment. Well, Sir, a discussion ensued, and turned principally upon the mode in which the question could be most conveniently brought before the deliberation of the House; and the course which was finally considered to be most convenient, certainly, the course which I should myself have preferred to take, was to wait until we came to the clause referring to corporal punishment, and then, by moving the omission of a very few words, the question of the retention of corporal punishment might have been raised in the simplest possible form. But it appeared, upon further consideration of the matter, that it was necessary that the new clauses should be moved and considered first, as they would take precedence of the Bill itself, and that it was likely there would be a very considerable amount of discussion upon the earlier clauses of the Bill, those clauses which refer to the cases in which the punishment of death could be inflicted, and in which, according to the present proposal of the Government, corporal punishment might be inflicted instead. There would, therefore, have been a considerable amount of discussion upon details as to the limit and operation of this punishment before we arrived at the main question itself; and I think hon. Members on both sides of the House will be agreed that by far the more convenient course is to express an opinion in the first instance on the main question—as I hope, without any very long delay—and that, having expressed this opinion, we might proceed to the consideration of the details. I, therefore, Sir, thought it was the more convenient course for both sides that the question should be raised in a plain, simple manner by this Amendment, which will enable the House to come to a conclusion on that question of principle. Now, Sir, I have very little to add today to what I said on Tuesday as to the ground which had induced me to take this course. I am not in the least surprised to find, as I have found, that the course I have taken has been imputed to Party motives of no very exalted character; but I must say I am surprised that the first charge of that character should have come, not from the Members of the Government who have seats in this House, who have a knowledge of what has occurred upon this Bill, and who heard the statement I made on Tuesday last, but that it should have come from a noble Lord, a Member of the Government, and not in his place in Parliament, but at a Party meeting of his own supporters held last night. I find that Lord Cranbrook said—

> "I see that only last night the Leader of the Opposition in the House of Commons, having apparently entirely changed his vote, if he has not changed his opinion, attributed it to something the Government had never done and which a Conservative Government had never said."

The noble Lord appears to have forgotten that his Colleagues, the Secretary of State for War and the Chancellor of the Exchequer, were opposite to me when on Tuesday last I made a statement respecting what the Government had done and said in this matter, and that that statement was not in any one single particular challenged or controverted. I should be glad to know this: On what authority has Lord Cranbrook said that I have changed my vote, if not my opinions, upon something which the Conservative Government has never done and never said? It appears, also, somewhat extraordinary that charges of making this a Party question should come from a Member of a Government who, in my opinion, took the first and most decisive step towards making this a Party question. These accusations come somewhat strangely from the Members of a Government who, not very long ago, convened a meeting of their own supporters notoriously in connection with this very subject. I think that now these charges have been made, we are entitled to know something of the objects for which that meeting was called. We do not know what occurred at the meeting; but we do know, if the reasons for calling it are not on the surface, that the Government had up to that time received steady and consistent support in connection with this measure from almost the whole of their Party. There was no occasion, therefore, to rally their Party together to support this Bill, unless for the purpose of obtaining that party's assent to some change in their own policy, or for the purpose of conciliating a section of their own supporters who were dissatisfied with that policy. I am told that the conduct of the Government, whatever it may have been, cannot possibly affect the merits of the question, and ought not in the least to influence the course which is to followed by the Opposition. Now, this subject is one which we must look at from a practical point of view. It is not a mere question of what form of punishment the military authorities would most desire to see enforced and maintained in the Army. It is a question of what form of punishment it is possible to maintain, and of what, in the general interests of the Army, it is most desirable to maintain. It is a question which it has always been admitted cannot be altogether decided by mere argument in this House. It is a question which must be decided, to a great extent, by special authority; and we have always been accustomed to attribute that authority to the opinion of those who were responsible for discipline in the Army, and then to that of their Representatives in this House who are responsible to us. But we maintain that the authority in support of this punishment has been very considerably weakened, if not altogether destroyed, by the proceedings which have recently taken place. We say, that when the Government departed from the clear profession which up to that time they maintained upon this question — when they no longer took their stand upon the firm ground that this punishment was absolutely indispensable to the maintenance of discipline, and that they could not hold the military authorities responsible for the maintenance of discipline if it were done away with—that when they changed their ground, and admitted that it was a subject which was open as a whole to re-consideration, it appeared to us that they so weakened their case, as almost entirely to destroy the authority upon which this punishment had up till then been supported and had rested. Sir, in the speech of the right hon. Gentleman the other day in answer to me, I observed that he did not say a single word to the effect that in the opinion of the military authorities this punishment is indispensable if the maintenance of discipline in the Army is to be maintained. The right hon. Gentleman said that the Government were responsible for the proposals that had been made. Well, we all know that the Government must necessarily be responsible for any proposal which they may submit to the House. But what the House has a right to expect is the clearest and most unmistakable expression of opinion that the military authorities can give us, through their Representatives in this House, as to what their professional opinion upon this point is; and I observed that the right hon. Gentleman, in the whole of his argument, had not one word to say as to the opinion of his military advisers upon this point. In these circumstances, the support of authority having almost entirely disappeared, the House has only to consider what are the arguments for and against this punishment. They have been so frequently repeated in this House, that it is quite unnecessary that I should go over them again. I will say this, however—that they seem, by the debates which have occurred, to be reduced in reality to one contention, which may be shortly and concisely expressed by the words "the bullet or the lash." If this is really the only argument raised by hon. Gentlemen opposite, if they really think that the alternative is between the infliction of the penalty of death and that of the lash, then I cannot but think that the suggestion which I made the other day was one which would have gone very far towards meeting this argument. The offer which I made to the Government was that they should continue the use of the lash, but only in those cases in which, as they say, the use of the bullet would be rendered indispensable by the discontinuance of the lash. I, at the same time, asked that Parliament should receive some security that the lash should henceforth only be used as the alternative to that punishment which the Government said would have to be inflicted so frequently if the lash were done away with. But it is now clear, from the attitude which has been assumed by the Government, that in their opinion, and in the opinion of military Members of this House, it is necessary to retain this punishment in a very large number of cases, in which it would be idle to say that the alternative would be the penalty of death. As to this, I have reason to believe that there is a very great difference of opinion among military men themselves. Reference was made, the other day, to the opinions expressed upon this question by certain military journals. I believe some of them express the opinion of a very considerable number of military men, and especially of the younger officers of the Army. These latter, it is true, are not the most directly responsible for the maintenance of discipline, but they are the men upon whom will devolve the maintenance of discipline in our Army in the future, and I cannot but think that their opinions are entitled to a considerable quantity of weight. Well, I believe that it is the undoubted opinion of a great many distinguished officers that the retention of this punishment, at the stage which is now reached, after the discussions which have been held, the attention which has been directed to the question, and the adverse expression of opinion which it has received from the country, would, at all events, for a very large number of the offences named in the Schedule, be more injurious than beneficial to the interests of the Army. I now wish to refer to another charge which has been brought against me in reference to my conduct in connection with the question before the House. It has been said—it was insinuated by Lord Cranbrook in his speech last night—that the course of conduct which I have followed has been dictated to me by the exigencies of the Party with which I am connected. I think, however, that the mere statement of dates which I made the other day ought to be sufficient to refute this charge. I stated to the House the other day—and I trust that the statement which I then deliberately made, and which I now as deliberately repeat, will carry conviction to the House without corroboration, though, if necessary, my statement can be corroborated—I stated that the decision at which we had arrived was one which was come to before any of these difficulties of Party arose to which reference has been made. I hold that, in the circumstances which then existed, it was necessary that I and my Friends should come to some decision upon this question. What was our position? We were informed that the Government were re-considering this question as a whole, and were in consultation with their Friends as to the course to be adopted. We did not know what their decision might be, or what was the nature of the communication they would address to the House on Monday afternoon; but we did know that a great many Gentlemen on both sides of the House anticipated that it would take the form of an announcement that the Government had reason to abandon the lash altogether. If that announcement had been made, no one would have thought that it was the duty of the Opposition to uphold the continuation of corporal punishment against the decision of the Government. On the other hand, the decision might be, as it turned out to be, a decision to maintain corporal punishment, without any very considerable limitations, as compared with those with which it was originally introduced. Surely, then, it was the duty of Members of the Opposition to consider what their course should be in either event, without being guided by Party motives. We, therefore, did take the question into consideration, and the arguments which had induced the Government to re-consider it; and we determined that, whatever the decision of the Government might be, we could not support the continuation of this penalty any longer, except in the circumstances to which I have referred. In these circumstances, we formed the opinion which I announced the other day ; and a mere statement of the facts shows that that decision was arrived at calmly, deliberately, and sincerely, and entirely without reference to any of those Party exigencies to which reference has been made. The course which I now propose will, I think, be the most convenient in every respect to the House; and I, therefore, beg to move the Amendment which stands in my name upon the Paper.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no Bill for the Discipline and Regulation of the Army will be satisfactory to this House which provides for the retention of corporal punishment for Military offences,"—(*The Marquess of Hartington,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

COLONEL STANLEY : Sir, the noble Lord, at the beginning of his remarks, said it would perhaps be as well that he should explain the reasons for the course which he was taking, and in that respect, I think, many of us will have agreed with the noble Lord. But, for my own part, after seeing the terms of his Notice, and after naturally enough anticipating the arguments by which the noble Lord would advance his proposition, I must confess I was somewhat surprised to find that the remarks of the noble Lord should have partaken rather of the character of a personal explanation than of a speech with regard to the merits of the question. The noble Lord thought it was incumbent upon him to explain the course which he adopted a day or two ago in recommending the clause which then stood in the name of the hon. and learned Member for Stockport (Mr. Hopwood), and to state the reasons which induced him to recommend that a preamble should be attached to that clause. But I cannot help feeling—although I do not say he wished to evade the question—that the noble Lord spoke with a certain sense of relief when he departed from that which is the actual proposition before the Committee and turned round to speeches which had been delivered in other places, and made remarks on the tone and character of those speeches. The noble Lord complains of words which have been used elsewhere by my noble Friend Lord Cranbrook. Those words were, I believe, substantially to the effect that the noble Lord had come down and had changed his vote, and had possibly also changed his opinion. [The Marquess of HARTINGTON : If not his opinions?] Well, "if not his opinions;" I beg the noble Lord's pardon. If, however, my noble Friend had said that the noble Lord had changed his opinion, I should have thought it was not an unnatural remark to make, inasmuch as my noble Friend Lord Cranbrook succeeded, though at some interval, the noble Lord in the conduct of the Office of which I have the honour to fill; and I have no doubt that my noble Friend has a perfect recollection that during the noble Lord's tenure of that Office no effort was made by the noble Lord in the direction which he now advocates. I wish especially to touch upon a point which, in terms which could not be mistaken, the noble Lord referred to the manner in which we are accustomed, in these matters of discipline and in technical matters, to look at what he was pleased to call "authority," and the remarks he made were such as to lead the House to suppose that the military authorities, with whom it is my duty to act, were either indifferent to this question, or had expressed themselves to the effect that they were opposed to the views which I myself had advocated. I have never liked, on my own part, in any way to speak except upon the responsibility which I have the honour to fulfil towards the House and the country; but as it has been my duty to hear reports of this kind which have been industriously circulated, not by the noble Lord, but by those whom the noble Lord calls—somewhat rashly, I think—his Friends, I beg leave to give a distinct and categorical denial to the assertion that any language ever held by me, or any statement made by me in this House is, so far as I am aware, impugned by the military authorities with whom I act. Then the noble Lord accounted for the somewhat sudden movement which had occurred. He said that as long as the question was not open at all there were very good reasons for not opening it; but that the moment the Government departed from their position there was no firm ground on which this question could rest. Upon that I shall have a word to say by-and-bye; but I stated to the Committee the other day, and I repeat it now, that we do consider the proposition which we have placed before the House to be a firm basis on which the question is to be based. The noble Lord commented on portions of the speech of my right hon. Friend near me who spoke of re-opening the question as a whole. That is a matter which I thought I had pretty well explained on a previous occasion, and I will not now take up the time of the House by referring to it; but I will leave my right hon. Friend to answer for himself, as I ventured to answer the other day for him. Let us pass from those matters, which, after all, are only of ephemeral interest, to that which is the real point of the matter under discussion. Now, I will venture to say that in no previous set of discussions have so many loose statements and haphazard arguments been advanced as have been used with regard to this Bill; and, therefore, it is almost with a feeling of comfort that I can turn to a speech in which there really seems to be an appreciation of the circumstances in which the country is placed, and of the circumstances which have induced the Government to adopt the line they now recommend. Contrasts have been drawn all through with foreign Armies, and I thought the hon. Gentleman the Member for Berkshire (Mr. Walter) distinguished himself by going to the root of the matter in the very brief, but pregnant, remarks which he addressed to the House within the last few days. Constant comparisons have been made with foreign Armies; and it has been said that the German Army and the French Army, for example, get on without this punishment. I speak under every sense of responsibility; but I have no hesitation in saying, without fear of challenge, that if we were placed in the same circumstances and under the same conditions of service as the German Army, we could, without hesitation, adopt the same or similar means of discipline which they find it necessary to use. The conditions, however, are not the same. In recent wars the German Army have never operated in an uncivilized country, or thousands of miles away from its base. The German Army has operated, even when within a foreign country, in one in which there were many conditions in respect of the retention and restraint of prisoners that do not apply to the countries and the climates in which we operate. I do not wish to press the argument too much; but I find in the German *Staatsgesetzbuch* frequent allusion to the *Ortsgefängniss*, or local prison; and, if I read the context aright, it is not unusual to use the means of restraint in prisons, even when the Army finds itself in an enemy's country. Of course, no such means are open to us. I will pass, however, to the argument adduced by the hon. Gentleman the Member for Berkshire, that it is mainly the character of the men to which we should look—a proposition in which I entirely agree with him. But let us understand that we are not dealing with a state of things such as we could wish to exist, but with things as we find them. Speaking briefly, there appear to be three alternatives in the arguments of the hon. Member for Berkshire. One is the argument he raises as to the desirability of having a smaller number of picked men with better pay. I quite agree that if you are to get absolute command—as you may require to have at times—of the labour market, you must give an amount of pay not only equal to, but probably in excess of, that which is given in civil life. Men, when they come forward to make these kind of bargains, are sensible enough to know the nature of the engagement they are making; and a skilled artizan, or any other person in a similar position, would clearly understand the value of his labour if it were transferred from one climate to another, and he would, therefore, expect not only a fair day's pay, but something in excess of it. It must be borne in mind, too, that however much skill makes up for numbers in civil work, yet in war the *gros bataillons* must have their effect, and the *mitrailleuses* make no discrimination of persons. Then, again, there comes the alternative, which has never recommended itself up to the present time, though I have heard expressions contrary to it used in this debate—I mean the alternative of conscription in some form or other. Assuming that you have a conscription, as Germany and other countries have, you force men into the Army from all classes of society. You either expel the disorderly element, or so soften it that it can be dealt with in a different manner from what it can be in cases where it forms a larger portion of the Force. But here, again, the condition of the different countries are not the same. Well, if we do not choose to fall back upon either of these alternatives—which, after all, are a mere matter of money—you have, I think, little or nothing to fall back upon except the present system of enlistment. That being so, as long as voluntary enlistment lasts, in ordinary times, at least, it is idle to think you can tap many classes of society. There is, practically, but one *stratum* from which your recruits are drawn. I do not say that there are not honourable and noble exceptions; but I believe a very large number of those who enlist, whatever their good qualities in other respects, are men who have left their work or their homes either from wild habits or love of adventure, which sometimes is a weed that runs to excess, and has need of restraint. Therefore, taking into consideration what the Force you have to deal with is now, I would ask, are you not in all circumstances to be enabled to keep that Force under control? Or are you to allow an armed force to degenerate into what it would, without discipline, inevitably become, an armed and even dangerous mob? If not, you must have discipline of some kind. That is conceded. I find no two opinions on this point, whether I search the records of foreign Armies, or ask the opinions of officers of long experience—that military punishments on active service must, in most circumstances, be summary, sharp, and decisive. Many minor offences are practically overlooked or passed by on foreign service; and, therefore, it is all the more necessary, where an offence becomes dangerous to the discipline of the Force or to the country in which you are acting, to make an example which will be sufficiently sharp to deter others from the same crimes. I do not know whether it will be necessary to argue the point to which I addressed myself the other day in reference to the military punishments now in force; but we have heard so much on this subject that I must ask pardon of the House for doing what I think needful to maintain my position. I believe it must be admitted that corporal punishment in our Army has proved, to a great extent, a most successful substitute for the punishments in use in foreign Armies. ["No!"] Hon. Gentlemen say "No," and we are told we do not rest this matter upon solid ground. On the contrary, I say we do. We have placed in a Schedule of this Bill the offences which are liable to corporal punishment on active service. These are offences which must be dealt with seriously, and in past times they were considered sufficiently serious to have the punishment of death awarded to them. I have never said that in all cases where corporal punishment is awarded death would be awarded. That is a statement I have never made. But this I have said—that if you abolish corporal punishment you will inevitably increase both the death sentences and the infliction of death. ["No!"] An hon. Gentleman says "No." I am not anxious to throw down an unnecessary challenge; but I do not think hon. Gentlemen will ever be successful in raising a cry against corporal punishment as a substitute for the death penalty. I think, with the exception of the hon. Member for Mayo (Mr. O'Connor Power) and the hon. and learned Member for Denbighshire (Mr. Osborne Morgan), there are very few men who, if under sentence of death, and asked to take their choice between 25 lashes and death would choose the latter. So far as my experience goes, I should be inclined to believe that men would prefer that punishment which would leave them still to enjoy some portion of their lives. It is no use whatever simply to strike out this punishment and shut your eyes to the consequences. I fail to understand from the speech of the noble Lord, whether as an ex-Minister for War or in any other capacity, what he has in his mind as a substitute for this punishment—whether, when our troops are now on active service, he is going to abolish this punishment at once and trust to the chapter of accidents to maintain discipline. One word with regard to the clause of the hon. and learned Member for Stockport (Mr. Hopwood), to which I stated my objections on Tuesday last when the noble Lord spoke on this question. I stated then that I thought it would be, first of all, an unwise measure; and, secondly, distinctly useless to oblige a court martial to pass a sentence of death when they had not in their own minds any idea that it should be executed and the sentence was only recorded that some other punishment might be inflicted. That is a state of things analogous to a condition of the civil laws which it was found expedient to get rid of. But suppose the general officer did not know that when they said one thing they meant another. He might inflict the punishment of death when the court martial intended that another punishment should be inflicted. The more I look at the matter the less I am disposed to entertain it. What is the line of conduct which the noble Lord opposite has taken to-day? I am not here in any respect to blame the noble Lord or to dispute his right to change his opinion. But one thing I wish to point out, because there appears to be a great misconception about it. I object to its being said, for purposes of argument, that any question of humanity is concerned on one side or the other. That, I think, will be pretty generally admitted. ["No!"] Does the hon. Gentleman claim a monopoly of humanity for his side of the House with regard to the infliction of the death penalty? It has been truly said corporal punishment may be barbarous. All punishments may be held to be barbarous; war is certainly barbarous. Accepting that as a general proposition, I am not concerned to follow any observations which have been made on what I should consider matters of sentiment. The real question is, is the punishment complained of necessary? Much has been said as if this punishment was prevalent in our barrack-yards and quarters. But that is not the case. It is only actually inflicted in active service or on board ship; and, therefore, let it not go forth that it is a frequent incident of the barrack-yard or of military discipline. Let that be understood. I come now, after a rather long preface, to the subject-matter of this Amendment. It is an abstract proposition. The noble Lord proposes—

> "That no Bill for the Discipline and Regulation of the Army will be satisfactory to this House which provides for the permanent retention of corporal punishment for Military offences."

I may say, for the comfort of the supporters of the noble Lord, that there is a vagueness about the terms which to some minds may be satisfactory; but to those who have to deal with this matter the proposition of the noble Lord is only intended to be, and would have the effect of being, absolutely fatal to this Bill. I want the House to be kind enough to look at what, after very protracted work, after an expenditure of time which exceeds that which the right hon. Member for Bradford (Mr. W. E. Forster) experienced in connection with the Ballot Bill, is now proposed. It is proposed to us that this Bill should be abandoned. ["No!"] Well, that undoubtedly would be the effect. If it is moved and carried that a Bill, which does not contain a certain Proviso, is for that reason not satisfactory to the House, that, in a Parliamentary sense, undoubtedly puts the extinguisher on such a measure. Now, I do not look at this Bill in a personal light. I wish it, as far as possible, to be the Bill of the House, and not of the Government, or of any individual. In it you have passed clauses which introduce a system of free enlistment, and which do away with many of those snares that could hardly be held to be creditable to the manner in which recruiting has been carried on. You make enlistment to be really in the nature of a free contract, under which those who enter into it will find themselves freer than they have been at any previous time to abrogate it, if they do not like the conditions. You have taken away, or have greatly modified, the absolute power of the provost marshal, who will only exercise his power under the control of the statute, and will carry out that which is merely the record of a summary court martial. You have introduced provisions by which men who, for an offence of a comparatively minor description, committed perhaps not without circumstances of extenuation, have been wasting their lives in prison undergoing their sentence, will be enabled, where their antecedent conduct justifies it, to be released, instead of having to fulfil the remainder of their sentence, and will, perhaps, have a chance of redeeming their character in service abroad, which has not hitherto been granted them under our military law. You have placed penal servitude in a condition coincident with that which prevails in the United Kingdom. You have materially alleviated the incidents of imprisonment in a hot climate or in India. You have placed the billeting law, which pressed unduly upon Ireland, on an entire equality with that which obtains in this country. I might mention many other minor points if time permitted; but these are some of the principal advantages which are gained by this Bill, and which I cannot help feeling will be thrown away, if the House accepts this Amendment of the noble Lord. I have said all along that I hoped this Bill would be one into which no Party considerations would enter. As far as I am concerned nothing has ever been done, I trust, except in the spirit in which the measure was introduced. And, therefore, all the more responsibility must rest upon those, if such there be, who wish to mix up Party feelings with a matter deeply affecting a great Department of the State. We have admitted Amendments—some persons have blamed us for admitting so many; but we have done our best to show, as far as in us lay, that this Bill was to be the Bill of the House and of the country. We wished to pass it with as much consent as could possibly be expected from the one side of the House and the other. Well, as I have said, in my opinion—and I only claim to speak for myself, although I believe it is also the opinion of my Colleagues — this Amendment would be absolutely fatal to the Bill. Now, what do you mean, if this course is successful, to put in the place of this measure? Do you think this is the time of the Session when you can pass a new law of Army regulation? Do you mean to leave the present law as it is, or to take an alternative course, which, as there are all kinds of opinions, may to some minds, perhaps, seem not to be impossible or inconvenient? Do you intend to disband the Army? I do not suppose that in the least. I do not suppose—although there are exceptions to every rule—that the intentions of this House are that the Army should be disbanded, or that it should ever pass in the slightest degree from the control of Parliament. But what have you in your mind? Do you intend to continue the existing law, or do you intend, as soon as possible, to put some such measure as this in operation? The noble Lord gave us, as I have said, a speech which was interesting, but which I could not but consider as rather partaking of the nature of a personal explanation than of argument against going on with the Report upon this Bill. He stated, as I understood him, that the opinion he has now expressed was in entire consonance with his opinions some time back; and that his was by no means a sudden change of opinion, because before these protracted discussions arose he had the same opinion as he now holds. Now, it is curious, but there are records which I am afraid we should all like to forget sometimes, and I find that an Amendment was proposed to "leave out corporal punishment on board ships," and that the name of the noble Lord appears among those who opposed that Amendment. [The Marquess of HARTINGTON: What is the date?] That was on the 19th of June.

THE MARQUESS OF HARTINGTON: I stated frankly that I re-considered my position on this Bill exactly at the same moment as the right hon. and gallant Gentleman was re-considering his.

COLONEL STANLEY: I do not know how far the noble Lord can fix the dates by that reference. [An hon. MEMBER: Saturday week.] That is the date at which the noble Lord's opinion changed. I expressed on that somewhat memorable Saturday the views which I myself and others entertained; but with regard to this matter I beg the noble Lord's pardon if I in any way mis-stated his argument. I put that, however, on one side altogether, and I will only say that no one who has seen the noble Lord's conduct in this House could doubt that he would, at this earliest opportunity, make a frank explanation of what his views are. Sir, I shall be the judge of no one's conscience. I am bound to believe, and I do believe, that the noble Lord sincerely entertains the opinions which he has advocated. I am bound also to believe that the case is the same with hon. Gentlemen opposite. But when I say this, let me say at the same time that, were it otherwise, I do not think that I could find words which would express my feelings in respect to those who could prefer—I do not say that they have preferred—the interests of Party to the interests of the country. The noble Lord, two days ago, made a statement with which I entirely agree—namely, that the discipline of the Army should be the paramount consideration. That is very well; but I hope that we are not to understand that that expression is in any way confined to the part of the House in which the noble Lord sits. I venture to think that the Amendment of the noble Lord will not be accepted; and this Bill, which I frankly say I believe to be one which, on the whole, is greatly in favour of the soldier—which I believe establishes satisfactorily that position in relation to military law that Parliament has always claimed, and, in my opinion, rightly claimed, to occupy—this Bill, which has done a good deal to clear up the hidden mysteries of military law, will, I hope and venture to predict, survive the noble Lord's Amendment. In respect to these matters, as I have said, we have been willing to go as far as we could with hon. and right hon. Gentlemen opposite. There may have been minor points on which we have even surrendered our views to theirs. But the noble Lord must excuse me if I cannot now follow him in his present course, and if I adhere distinctly and definitely to the opinions I expressed when he last spoke on this subject. We have considered the utmost limits to which, in our opinion, in present circumstances, and in the present state of recruiting, we are able to go. We think ourselves bound to adhere to those proposals which we have made. For the purpose of discipline we believe that these proposals are based on a definite principle. We do not believe that the recruit or the soldier will not be clear-headed enough to see that those who profess to be, and who may think that they are, working legitimately in his behalf, may really be working against his interests. And, above all, we do not believe that the principles which we have advocated as those of the present Bill are such as the country will be likely to discredit. But even if it were so, if these were the last words that I have to speak in this House—and I am sure the feeling is the same with many hon. Gentlemen—I say that, putting aside any question of inclination on the one hand, or fear on the other; putting aside any feeling of sentiment, and doing that which we believe those who are most experienced in military matters are most disposed to recommend while our Forces remain on their present footing, we have done that which we conceived it to be our duty to do; and in the consciousness of having done our duty we shall, at all events, rest content. I hope it is not by any outside clamour, or by any clamour on the part of a limited section, however active they may be, that this House is to receive dictation as to its proceedings. We hope that this House may, in all these grave matters, act up to the words which are familiar to you, Sir, in our daily proceedings; and that, laying aside all Party prejudices, we may alike work for the welfare of the State.

MR. GLADSTONE: Sir, I am sure that no one can complain of the tone of the speech of the right hon. and gallant Gentleman, or, indeed, of the tone of any speech which falls from him. To whatever subject he has occasion to refer, he invariably treats it in such a manner as to extract from it whatever bitterness or exasperation it might possibly, in the hands of others, seem to involve. And I will answer freely and at once to the amicable challenge with which he concluded his speech, that we should, as he said, in words familiar to our daily proceedings, lay aside all Party prejudices, or, if I may rely upon my own memory rather than his, I believe it is that we should separate ourselves from private interests and partial affections.

I shall endeavour to follow the example of the right hon. and gallant Gentleman, because I have had no share in any of the warm debates on this subject, and, indeed, have only considered it seriously with a view to a practical issue, after it had been so far opened, in part by proposals made from this side of the House, but still more by the proceedings of the Government as to make it the absolute and imperative duty of every independent Member of the House to consider the question at large. I think it must have struck everyone who listened to the interesting speech of the right hon. and gallant Gentleman that that speech was singularly sparing in direct argument upon the merits, either of the question of corporal punishment, or on the merits of the Amendment of my noble Friend. It was by collateral matter and issues, I think, that the right hon. and gallant Gentleman strove to attain the object in which, from former experience, I believe it to be apparently possible and even probable that he may succeed—namely, in inducing the majority of the House to support the views of Her Majesty's Government. What were the main points of the speech of the right hon. and gallant Gentleman? He commented upon the personal position and acts of my noble Friend. Into that portion of his speech it is quite impossible for me to follow him. He referred to the great responsibility of those who say any word or do any act to establish any relation between this Bill and the interests of Party. Undoubtedly, it did appear to me that the natural construction of that argument, as far as it bears a natural construction, was not a construction favourable to the Colleagues and Party among whom he serves. Because it is, at any rate, matter of chronology that before any proceeding connected with the organization of Party had been taken or dreamt of elsewhere, an appeal was made by Her Majesty's Government to the Party by whom they were supported, as distinct from the mass and body of the House, to support this Bill upon grounds and in connection with considerations which have not yet been made known to the body of the House. So much for that topic. There was another topic of great importance—namely, the menace—for such it was, although conveyed in the mildest terms—that this Bill, which is admitted, I believe, on all hands apart from corporal punishment, to be a very valuable Bill, must be abandoned in case the Motion of my noble Friend should be carried, and that my noble Friend must be regarded as the assassin of the Bill. As to the abandonment of the Bill, I presume we are nearly all agreed that it would be a very serious misfortune. But no dictum, even proceeding from a Secretary of State, can of itself suffice to fasten upon particular persons the responsibility of that abandonment. What is proposed by my noble Friend? He has not impugned the general character of the Bill. He has not shown either to-night, or at any other period during the discussion, any indisposition to promote it. He has assailed in the form which, I believe, is acknowledged on all hands to be the most direct and simple, and, therefore, the most convenient for us all, including the Government, a particular head of the provisions of the Bill, which is completely separate from the body of the Bill. The right hon. and gallant Gentleman says—"That Motion, if carried, will be fatal to the Bill, and you will be responsible for its destruction." In other language, he announces that so closely is the Government wedded to the proposition upon the subject of flogging that, without the maintenance of the provisions as they stand, they will not consent to confer upon the Army and upon the country the great benefits which the rest of the Bill will bring. The question on whom the responsibility of so serious a calamity would rest—we being agreed that the abandonment of the Bill would be such a calamity—is a question not to be settled by any Ministerial declaration, but by a calm and unprejudiced view of the position of the case and the public motives that ought to guide us at this moment. It is from that point of view alone that I wish to examine this matter. And how does it stand? I am not ashamed to confess that upon this question I have at all times been ruled in the main by authority. There may be Gentlemen in this House who have such a range and capacity of mind that they can form for themselves independent original judgments upon every point of the ten thousand subjects that are incessantly presented for our consideration. I certainly am not one of these, and it would be mere affectation on my part to pretend to pronounce an original opinion on the question whether corporal punishment was or was not necessary for the maintenance of discipline in the Army. I cannot arrive at the conclusion except by the aid of authority. But in order that authority may sway my mind in such a case, it is necessary that that authority should be weighty, that it should be clear, that it should deliver its utterances without doubt or hesitation. But how does this matter stand? We know that the officers of the Army are very far from unanimous. We are given to understand that among the younger officers those who have, at least, the one advantage over many of their seniors of better and more careful preparation, a belief in the inexpediency of the punishment is more widely spread, and a larger proportion are found to recommend its abolition than if the officers had given their opinion 20, 30, or 40 years ago. But, apart from the opinion of officers, which must necessarily be to some extent vague and general, what we have to look to is the language held, and the course pursued, by the Executive in dealing with this question. I must venture to remind the House of the challenge given by my noble Friend upon a former day, and the total absence of any disposition on the part of Her Majesty's Government to take up that challenge, which, if they had been in a condition to take it up, would have been the easiest matter in the world to deal with. My noble Friend mentioned certain vague and idle rumours, but rumours which were apparently supported by no small show of credibility, to the effect that Her Majesty's Government had once arrived—upon or near that memorable Saturday—at the determination that, on the whole, they would best discharge the duty to the country by abandoning corporal punishment. ["No, no!"] I am not even reiterating the existence of these rumours. I am simply reciting, as well as I can, that which was pointedly and intelligibly stated by my noble Friend two days ago, when he rose in his place and was followed by the Secretary of State. My noble Friend first referred to these rumours, and to others not less plausibly supported, to the effect that it was in consequence of the dissatisfaction of a body of their supporters, and not of considerations of military discipline, that the Government had receded from their determination. And my noble Friend invited Her Majesty's Government to meet the reports to which he referred, if they were in a condition to do so, with a simple, but intelligible and emphatic, contradiction. The Secretary of State, having heard that challenge, and having risen in his place to reply, took no notice of it whatever, but left the reports in greater darkness than before. The importance of that fact, as regards the question of authority, can hardly be denied; but it was impossible not to notice also the language used by the Secretary of State. I watched it carefully, and, although I have not the note of the words at hand, I refer to the words in which the right hon. and gallant Gentleman announced the intention of Her Majesty's Government. They were to the effect that they would adhere to the propositions in the Bill as it now stands. They felt it their duty to adhere to them; but there was not a single syllable in the statement of the right hon. and gallant Gentleman, either explicitly or indirectly, showing their belief or conviction of the necessity of retaining corporal punishment in the Army. That, I believe, is undeniably the state of the case as far as the question of authority is concerned. Now, let me turn, for a few moments, to the state of the case as regards argument. There is great utility, sometimes, in that epigrammatic form of expression by which, by means, possibly, of one monosyllable the leading ideas on a subject are put forward. In that manner, this has been said to be a question between the lash and the bullet; but that aspect of the case has been fairly denied by the frank speeches of several hon. Gentlemen opposite, and especially in that of my hon. and gallant Friend the Member for West Sussex (Sir Walter B. Barttelot). The suggestion of my noble Friend has completely destroyed the idea that it is a question between the lash and the bullet. According to that suggestion, a flogging may be administered, not for a wide range of offences, infinitely various in their character, and which are now, in sweeping terms, made punishable by death; but as an alternative for death only in cases where a court martial, but for flogging, would be compelled to pronounce a sentence of death, and the Judges would be compelled to give effect to that sentence. Here is the real question at issue between the two sides of the House. I hope I have not said a word to impugn for a moment the humanity of hon. Members opposite, or or to draw a comparison which must always be invidious between the humanity of one side and of the other. It is not necessary for me to do so, and I confine myself to the facts of the case. If a more severe code is thought necessary by hon. Gentlemen opposite, I have no doubt that they will make a sacrifice of their private views to the public interest; but it would not be the duty of anyone not sharing their conviction of the necessity of corporal punishment to disguise the real point at issue. Let it be understood what that issue is, though it is not the question of those who are the opponents *simpliciter* of corporal punishment. My noble Friend says—"If you desire simply to avoid the necessity of shooting, and if you have an alternative by which you can escape it, you should distinctly state the intention of Parliament in the Preamble." In the early part of my Parliamentary career such a Preamble was by no means so rare as now, and it has ample considerations to recommend it in certain cases. Why, then, have the Government rejected that proposal? If the argument—the only one, I will venture to say, that presses on this side of the House, and the one that seems to meet with most favour on the other side —is that it is a question between the lash and the bullet, I answer that that consideration will be completely disposed of if Parliament chooses to declare that, in its judgment, the lash should not be used except when the punishment would otherwise be death. That argument might be used against those who do not concur with my noble Friend; but, as far as he is concerned, it is without point or force. However, that offer of my noble Friend has been made and declined, and the position in which we find ourselves, stated in the compass of a single sentence, is this—the Government virtually say to us—"Unless you will give us the power of inflicting corporal punishment in a number and class of cases in which, provided corporal punishment could not be inflicted, the punishment of death would not be thought of, we threaten to abandon the fruit and labour of the Session." I am now speaking of that which was most explicitly stated by the hon. and gallant Member for West Sussex, and it is by no means the narrow question of a few cases in which, while death is not excessive, flogging may be the preferable alternative, but it is a question ranging over a much wider field. We have been for many months engaged in a great national policy; we do not wish to rest under the reproach that our Army, resting, as it does, on the basis of voluntary service, must necessarily be inferior in character to that of other nations. We are not prepared to admit that a punishment which in itself unquestionably tends to degrade and demoralize a soldier, and which is not needful for other nations, is needful for us. We think, on the contrary, that if we wish to pursue our policy of raising the character of the Army by raising the conditions of service, we must endeavour to get rid of that punishment which, unless it is used strictly as a substitute for death, is the most likely of all the conditions of service to depress the nature and the class of the recruits in our barracks. Surely, no one can doubt the great mischief attending the infliction of this punishment. In former days it has been used with comparative indifference; and I do not suppose that most of those who argued the question 30 or 40 years ago had any adequate sense of the real and substantial objections that may be urged against it. There is the effect upon the man himself who suffers it, and I think that hardly the most sanguine of its advocates will contend that it is a punishment of a reformatory character. Then, again, there is the effect on those who inflict it; and I can scarcely conceive any form of duty from which the good men of an Army must be more averse, even in cases where it takes the place of a severer punishment. Then, too, there is the effect it has on the other comrades of the culprit. There was a time, not so very long ago, when the punishment of common thieves by the lash, if they were soldiers, was deliberately advocated by men of high character and great experience; I cannot but hope and believe that in the present day, if we contemplate the effects likely to follow our endeavours to raise the condition of our soldiers, we shall not be too sanguine in arriving at the conclusion that for offences for which death would never be inflicted we may safely dispense with the punishment of the lash. I will not dwell for more than a moment on that other very serious question, what is the actual basis, after all that has been said on the subject in this House during the present year, upon which the authority now rests in the Army? What, I would ask, is the time for which it can prudently be maintained as a punishment in the Army? Do you believe that, after all that has occurred, it can be long-lived? And if not, if you think that it can only last for a short term, do you suppose that it will be efficient for the purposes for which you desire that it should be continued? I will not dwell at length upon this, notwithstanding that I feel it to be a most pregnant and important part of the subject, because I feel that arguments like this might seem to have the character of menace, and I wish to keep the tone of the debate clear of such an imputation. I have now, and I hope without prejudice, endeavoured to lay before the House what I conceive to be the true position of the case. If ever there was a question which ought to be considered as a whole, and without reference to anything except the real interests at stake, this is that question. It is regarding it from that point of view, and that point of view alone, entirely apart from the prejudices or bitterness of Party, that I, for one, have arrived at the conclusion that the course which my noble Friend asks us to take is a wise course, and looking at the position in which the question now stands, owing to the acts of the Government, I cheerfully accept the alternative which they offer to us, and shall record my vote in support of the Amendment.

VISCOUNT SANDON: We must now feel thoroughly re-assured, after the speech of the right hon. Gentleman the Member for Greenwich, that no question whatever of humanity is at stake between those who sit on the two sides of the House. The point of view from which the Government look at the matter is, honestly and truly, that of humanity. From that point of view, the Government consider it to be a most serious question; for we have not only to take into account the suffering which may be inflicted on an individual soldier, but the dangers which may surround our Army in the field, as well as those to which the unoffending population among whom it may have to move may be exposed, and the risk to the policy in support of which war may have become necessary. And now I should like to know how the noble Lord and the right hon. Gentleman can explain their sudden conversion in this matter. The change was made only last Saturday week, and it has been made, the right hon. Gentleman who has just sat down says, simply because he and those who act with them found they were supported by authority in the view which they now take. But what was the authority which the right hon. Gentleman cited? Successive Liberal Governments have been in favour of maintaining flogging as a punishment in the Army. The right hon. Gentleman the Member for Birmingham (Mr. John Bright) was a Member of a Government for years, during whose tenure of Office flogging in the Army might be inflicted to the extent of 50 lashes. The right hon. Gentleman and his Colleagues must have believed that it was a punishment which was necessary for the purpose of maintaining discipline among the troops in the field, otherwise they would not have been justified in permitting it to be resorted to. But what, I repeat, is the authority on which the right hon. Gentleman the Member for Greenwich relies? The first authority he gave us was that of younger officers of the Army; but he did not quote the name of a single officer as being in favour of the abolition of flogging. This reminds me of a somewhat similar assertion which was made by the hon. Member for Sheffield (Mr Mundella), who said that only one or two soldiers had been shot in the German Army during the campaigns against Austria and France. Now, that, I cannot help thinking, is one of those wanton assertions which we occasionally hear made in this House.

MR. MUNDELLA: That assertion is confirmed by a letter which appears in the newspapers this morning. [" Order, order! "]

MR. SPEAKER: I must point out to the hon. Member that he is not now in Order. He will have another opportunity of explaining.

VISCOUNT SANDON: I cannot help thinking that, when assertions of the kind are made, the authority on which they are founded should also be given; and it would, it seems to me, require some very good authority to establish the truth of that which the hon. Gentleman has stated. But to go back to the authorities cited by the right hon. Gentleman the Member for Greenwich. Besides the younger officers of the Army, of whom he did not name one—although when he was talking about officers he might have referred to the hon. and gallant Gentleman the Member for Renfrewshire (Colonel Mure), who honestly told the House that if flogging were abolished he did not know how discipline in the Army was to be maintained — the right hon. Gentleman's other great authority was Her Majesty's Government, who, it had been rumoured, he said, intended at one time to abolish flogging altogether. I am, however, in a position to say that that rumour is absolutely and entirely untrue. I have never heard the subject once mentioned, and the Government never entertained an idea of giving up flogging in the field. It is very strange that these rumours should be advanced as an authority on a great question. So far as I could make out, those two were the only authorities cited by the right hon. Gentleman; but what is the argument of the noble Lord who sits beside him? He says that he entirely agreed with those who thought it was necessary to retain the power of inflicting the punishment of flogging in the field; but that the changes which had been made during the progress of the Bill through Committee had completely upset his calculations on the subject. But what were those changes? The Government consented to the reduction of the number of lashes from 50 to 25, when they found that the military authorities were of opinion that the maintenance of discipline would not, in consequence, be endangered, and some alteration was made with reference to the powers to be intrusted to the provost marshal. It would appear, however, that if we had retained the punishment of flogging for all those trivial offences for which it might have been inflicted before under a Liberal Government, the noble Lord would have continued to oppose its abolition, true to the past of himself and his Friends. But because we take the terrible step of doing away with flogging, except for those grave offences which are punishable with death, the noble Lord came down to the House on Saturday week, prepared to reverse the position which he maintained this year and which has been maintained for years past by successive Governments. I do not know whether this change may properly be described as a Party manœuvre; but it has the appearance of being something of the kind. I would point out to the House that the question before us is one on which it is not only military men who are competent to decide. It is a question which deeply affects the interests of our country, for everything which relates to the honour and efficiency of the Army touches every Englishman to the quick. I think I must confess that we have rather muddled up the subject. Owing to the long discussions which we have had upon it, I should not be surprised if, in many quarters, it came to be thought that we were now, when we are at peace, about to introduce the system of flogging into the Army for the first time. The Amendment of the noble Lord has, no doubt, been carefully worded; but there is not one word in it which would lead one to suppose that flogging was to be resorted to only when the troops were in active service. As I have said, an impression appears to prevail, in some quarters, that a Conservative Government are establishing flogging for all military offences; whereas the fact is that we are continuing a Code which has been adopted by previous Governments for many years, and that in the course of our proceedings we have been able considerably to modify it. And what, let me ask, does active service mean? It is, after all, but a mere euphemism for the horrible realities of war. You have your Army here in England looking as mild and well-mannered as possible; but various circumstances from time to time arise, which compel you to throw it upon a foreign and, perhaps, a barbarous shore. Why have you to do so? Because of the extraordinary enterprize of your commerce. You establish settlements which, at last, draw you into complications, and oblige you to send out your troops to defend them. Look at the immense importance of maintaining discipline in the Army in such circumstances for the sake of the men themselves. You say that taking a fowl or anything of that kind is a small matter in one of those parts; but do you not think that, in the interest of your men alone who fight your battles, it is of enormous importance that the feeling of the population should not be turned against them — that guerilla warfare should not be occasioned? And what does guerilla warfare mean, but that your men might be shot down as they go along? One of the great objects of a civilized country is to prevent the feeling of a whole population being turned against you. Is it not your interest that when your Army is leaving a country which it has entered it should leave the population of that country as friends instead of foes? Can you imagine that after terrible conflicts, after hand-to-hand encounters, after seeing comrades cut down by his side, an English lad from the plough, from the mine, from the workshop, or the loom, is at all so gentle a creature as he is at home? Your Army, after an encounter in the field, might become something like demons, unless they were under control. I venture to say that, on the ground of humanity, it is necessary that there should be a power of inflicting a sharp and severe punishment. The only way in which we can prevent troops being embarrassed by guerillas, and the population being subject to the most fearful outrages, is by having a system of short, but sharp punishment where the troops are actually engaged in war. That being the case, what is the punishment to be inflicted? All experience shows that you cannot imprison in the field; I do not believe in torturing a man by tying him to a tree; I do not believe that Englishmen would tolerate the French system. What resource, then, have you? You have the resource of shooting, or of inflicting corporal punishment, such as it is now proposed to maintain. If I look at the question from a humanitarian point of view, or have regard to the authority of military men of the past, I have no choice in this matter. I, for one, would be no party to the change that is suggested, of giving power to our officers to order our soldiers to be shot for breaches of discipline in the field. I decline entirely to take upon my head the blood of the English soldiers who will be shot if this milder form of punishment is done away with. I believe that if, in a moment of Party excitement, you took away the existing power of inflicting corporal punishment, you would be sowing the seeds of one of the most terrible of all calamities—an undisciplined Army in the field; for the military commanders, though they found they could not use the lash, would, for a time, not dare to use the bullet. Holding these views, I decline to take the responsibility of increasing the number of our soldiers who will be shot in the field by the hands of their brethren. I beg to express my own personal feeling in opposition to the Motion of the noble Lord. I do so on the ground of humanity, for the sake of the inhabitants of those countries in which our soldiers may hereafter unfortunately be engaged; I do so for the sake of our soldiers, and for the sake of the military honour of this great country.

Mr. MUNDELLA said, the noble Lord who had just spoken characterized a statement which he made the other night as a wanton statement. [An hon. Member: Wandering.] He understood the word used was wanton. He accepted it either way. The noble Lord was always put up by the Government when there was a question of humanity under discussion; but there was no Member in that House who was so vituperative to the extent of his limited capacity as the noble Lord. He had once before to apply to the noble Lord the lines of Byron—

> "The mildest-mannered man
> That ever scuttled ship, or cut a throat."

The noble Lord got up with an appearance of fairness; but he managed to insert as much venom, to convey as many innuendoes, and to impute as many bad motives in his speech as any man who got up in that House. He (Mr. Mundella) begged to say that the statement which the noble Lord declared to be absolutely untrue was made upon the authority of a British officer of great distinction. To day there appeared in *The Times* a letter signed by a soldier — Captain Hozier — who said he was attached to the German Army during the Austrian and French campaigns, and that while no corporal punishment was inflicted upon the men of that Army, not a single soldier was shot in either of those campaigns for breach of discipline. Captain Hozier further stated that during the last 25 years not a man had been shot in the Austrian Army. Why did not the Secretary of State for War contradict these statements if they were not true? His (Mr. Mundella's) statement was made on Tuesday. The Secretary of State for War had access to official information, and he knew whether that statement was true or not. If it was not true, why did not he say so? Because he knew better. The noble Lord the Member for Liverpool said that as our troops went to barbarous countries it was necessary for the maintenance of discipline to retain the power of inflicting corporal punishment on our soldiers. Were there no prisons in South Africa? Were there no prisons in India? What did it come to? That flogging was to be maintained for the sake of Afghanistan and Zululand. Was there ever such a hypocritical pretence as that? ["Order!"]

MR. SPEAKER: The expression which the hon. Gentleman has just used is not Parliamentary.

MR. MUNDELLA said, he at once withdrew any term which the right hon. Gentleman said was un-Parliamentary. But he maintained that the statement would not bear examination for a moment, that it was necessary to maintain flogging in order that the Natives of the country which we invaded might not suffer at the hands of our soldiers. Two distinguished officers, yesterday, said to him that it was a mistake to maintain flogging; and they hoped he would use his influence, if he had any, to get flogging abolished. He would not betray their confidence by giving their names. He was satisfied, if flogging were abolished—and it was very nearly abolished — we should have a better Army, and those who now fought for the maintenance of the lash would look back on their action with regret, if not with shame.

MR. BENETT-STANFORD said, the hon. Gentleman who had just sat down complained of the vituperation of the noble Lord the Member for Liverpool (Viscount Sandon); but the noble Lord had the advantage, inasmuch as he had not, like the hon. Member for Sheffield, been called to Order by the Chair. If he had had any doubt as to this question of flogging having been taken up by the Leaders of the Opposition as a Party question, that doubt had been removed by the speeches of the right hon. Member for Greenwich and the noble Lord the Member for the Radnor Boroughs. The supporters of the Government were placed in this matter at a disadvantage, because the unreflecting portion—which he regretted to say comprised a very large portion—of the public would arrive at the conclusion that Members who sat on this side of the House were the promoters of flogging in the Army, while those who sat on the Opposition side were the mild, gentle, humanitarian Liberals who wished to abolish the lash. He did not think that was a fair view, and he trusted the public, after the debate, would see that there was just as much humane feeling and good wishes for the welfare of the Army on the one side of the House as on the other. What were the facts as to flogging? The lash was only maintained when this country was in a state of war with another country, and on board ship under the flag. The public scarcely contemplated this fact? Why was flogging kept up at all in the Army? Because officers commanding regiments declared that, unless this punishment was maintained, it was impossible to keep up discipline before the enemy. No substitute for the lash had been suggested unless, indeed, it was the bullet. With regard to the severity of the punishment itself, he was bound to say, having served abroad in the old days, when flogging was much more common than in recent years, he had seen the most harrowing and painful sights in India. The scene was to many persons more painful, mentally, than it was to the men who physically received the punishment. He was of opinion that 25 lashes given by a boy was, under all the circumstances, not excessive. As to the infliction of the lashes by the drummer boy, in his eyes, this was one of the most degrading parts of the business; to see a boy of 12 years flogging a man old enough to be his father. He should be glad to see an alteration in the law in that respect. As to the comparison made between the English Army and the French and German Armies, he held that it was absurd. Our Army was recruited from the lowest ranks of the population, including men direct from prison, who were admitted by some recruiting sergeants; but the French and German Armies included gentlemen's sons and tradesmen and artizans, and they, by their superior feeling and better education, kept in order the unruly members. Again, on the Continent, no great difficulty was experienced in sending an offender to a military prison from the front; but how was that to be done in Zululand or in Burmah, China, or India, where most of our wars were carried on? How could they, for instance, send men back from Blood River to a Natal prison? An officer had told him that he disapproved of flogging, and that when his men did wrong he tied them together and made them drag a gun all day; but it seemed to him (Mr. Benett-Stanford) that that was not so humane a punishment as flogging. He hoped the Government would abide by their Bill and by their determination; but he suggested that the Royal Commission about to sit on the affairs of the Army should take the question of flogging into its consideration, and when the question arose again the Government could act on the decision come to by the Commission. What he might call the sudden conversion of the Leaders of the Liberal Party in regard to this question certainly struck him as being somewhat strange. During the time they were in Office, those Gentlemen asked Parliament, year after year, to pass the Mutiny Bill, instead of doing which they could have proposed the abolition of flogging, which they did not do, but for which they now seemed to be so particularly desirous. He could not help thinking that the Liberal Leaders were now disregarding their public duties, in order to get up a sentimental cry in view of the coming General Election.

Sir HENRY HAVELOCK said, there could be no doubt that the days of flogging as a means of punishment in the Army were drawing to a close. The abolition might not come this year or next; but it must come in the end. He should, therefore, support the Motion of the noble Lord the Member for the Radnor Boroughs, but upon grounds different from those which the noble Lord had stated. He (Sir Henry Havelock) acknowledged that he had been a supporter of corporal punishment in certain circumstances in the Army; but he had come to the conclusion that it must be done away with in consequence of the course taken by the Secretary of State for War. By that course some of the offences for which, in former days, the lash was the punishment had been removed from the Schedule. He alluded principally to offences which were the result of drinking, a habit to which English soldiers were, perhaps, more prone than the soldiers of any other European country. He was, therefore, of opinion that flogging was the readiest, and perhaps the most appropriate, punishment that could be inflicted for drunkenness and the crimes which resulted from this inherent vice of the British Army; but the Secretary of State for War, by the changes he had made in this Bill, had deprived him of this plea for its maintenance, and he should support the proposition of the noble Lord. What, he would ask, would be the effect of the alteration made by the right hon. and gallant Gentleman? They were now engaged in a war in Zululand, and he understood there was considerable disorganization in the Army there; but he had no hesitation in saying that when this new law reached the Cape its contents would speedily be known throughout the length and breadth of the Army, and that one of the consequences would be that the present disorganization would be increased by a corresponding increase in the cases of drunkenness and the offences which arose out of it. It was said that corporal punishment was brutalizing; but this he denied. He admitted that flogging was deliberate, systematic, graduated torture. It was brutal, but not brutalizing. Those of them who had been flogged at school, and soundly flogged, did not feel that the punishment was either brutalizing or degrading. In the Army it had been an efficient punishment for the maintenance of a very high degree of discipline; but he believed those who had suffered the punishment had not felt degraded. It had acted as a sound, wholesome deterrent on those who had witnessed its infliction; but the soldier who had been punished often felt it as an additional spur and incitement to distinguish himself. He belonged, in fact, to a class of men who were strong, fierce, irregular, and adventurous in their nature, and that was the class which had done so much to make an Army realize the saying that they never knew when they were beaten. He should be very sorry to see this class eliminated from the Army, and its place supplied by the school-board-bred milksop. In the French Army the system of discipline was neither superior nor more humane than ours. It had two alternative phases—great laxity, and a sharp re-action to extreme and horrible cruelty. In time of peace, men were shot in garrison for breaches of discipline; and in the field laxity, which would not be tolerated for a moment in this country, was met by the frequent—he might say constant—infliction of death. The Russian peasant or soldier, when drunk, would lie down and go to sleep; if demonstrative, he would slabber his friend or comrade; but he had not the element of violence within, and, therefore, it was not necessary to check violence by punishment in the Russian Army. The German Army was composed, in the main, of highly-educated men, and, therefore, maintained a superior social tone; and if we had an equal proportion of good men in our Army, we should have no necessity for the lash or for death. Indeed, they would not be necessary if our Volunteers were called out, because the moral sense and respectability of the great majority would overpower any inclination on the part of the ill-conditioned to commit any offences calling for severe punishment. But in the German Army deliberate torture was not unknown. It was not an unfrequent thing for a man to be tied, for 12 or 14 hours, in a cramped position, to the wheel of a gun-carriage. In time of peace it had been the practice to subject men to torture for minor offences. A man would be put alone into a cell, without table or chair, and with a floor of blunt-edged laths, which caused some pain to the feet; and the torture thus inflicted was worse than a small modicum of corporal punishment. Torture was habitual in the Volunteer Army of the United States, particularly out in the far West, where public opinion was weak. The progress of public opinion in this country was now due mainly to the hon. and learned Member for Stockport (Mr. Hopwood) — a sentimental humanitarian, whose motives he respected more than his knowledge. Personal experience had convinced him that our Code of military punishments, though in some senses brutal, [was, at all events, more just, more equal, and more humane than the practices resorted to in foreign Armies. From 28 years' service he claimed to know the feeling of the British soldier. He recollected 13 instances in which corporal punishment had been inflicted, and there was not one in which it was not necessary, and in which the sufferer would not have admitted that it was deserved. He was stung to the quick by one remark of the right hon. Member for Birmingham (Mr. John Bright), who said that he spoke strongly, and that if he had been a soldier he would have spoken still stronger. That simply meant that the soldiers in the House were brutalized by familiarity with a degrading punishment, and that they could not see the matter from his exalted standpoint. This was an unnecessary sneer against men as humane as the right hon. Gentleman himself. The only instance he had seen of a man being humiliated and degraded after the punishment was that of a man who proved himself a coward. He said in bravado, and in the hearing of his comrades, that the punishment had not caused him any inconvenience, and that he could take another standing on his head; but when the officer commanded silence on pain of a drumhead court martial and a repetition of the flogging he was cowed, and went away a degraded man, lowered in the opinion of his comrades, who saw that he was really afraid of another flogging. But, generally, there was no feeling of degradation in the individual sufferer, who often re-established himself in the good opinion of his comrades and officers by exemplary and sometimes heroic conduct. He supported the Amendment; but he did so on an entirely different ground from that taken up by the noble Lord. While the number of lashes was maintained at 50, and flogging was applied to a large number of intermediate offences against discipline—offences neither very grave nor very trivial—the punishment was an effective one; but the right hon. and gallant Gentleman the Secretary of State for War, by his concessions, had entirely cut the ground from under his own feet. Flogging as limited by the Bill could not, in his opinion, be defended. The only excuse for it—namely, that it could be resorted to when imprisonment was impossible and death too severe—was gone. If he was not mistaken, some other form of punishment would have to be devised to replace it, and that speedily.

MR. J. R. YORKE said, they had listened that evening to several personal explanations, particularly to one from the Leader of the Opposition—an explanation which was properly characterized by the Secretary for War; but no explanation they had heard was more remarkable than that which was offered by the hon. and gallant Member who preceded him. It seemed as if he were about to be the isolated instance of an hon. Member sitting on the other side of the House who was prepared to vote with Her Majesty's Government. But as the discourse of the hon. and gallant Member proceeded, it became a most bewildering one. The hon. and gallant Member traversed the greater portion of the earth's surface. He took the House through France, Russia, Germany, and America, and appeared to regret the absence in all those countries of flogging as it was administered in the British Army. In fact, the hon. and gallant Member seemed to have risen for the purpose of delivering the funeral oration of corporal punishment, and in accordance with the usual practice on such occasions—*de mortuis nil nisi bonum*—he pronounced a warm panegyric on the practice of flogging in the Army. In fact, the hon. and gallant Member seemed to say—"Take it for all in all, we ne'er shall look upon its like again;" and appeared to come to the conclusion that, after all, he ought to support the system of flogging. Finally, however, the hon. and gallant Member concluded by saying that, owing to the peculiar conduct pursued by the Government, and in spite of all the acknowledged merits of flogging as a system, in spite, too, of its superiority to the systems of punishment which prevailed in all other Armies, he felt compelled to vote against Her Majesty's Government. And what reason was advanced by the hon. and gallant Member for that extraordinary conclusion? So far as he could understand from the bewildering oration of the hon. and gallant Member, there appeared to be two reasons. The first was that the Government had abandoned flogging as a punishment for drunkenness. If flogging were worth retaining at all, it ought to be retained in respect of that crime. The hon. and gallant Member appeared to think that in time of war, and especially in Zululand, there was scarcely any temptation likely to fall in the way of the soldier save that of indulging in too muck drink, the inference being that if flogging for drunkenness were retained the hon. and gallant Member would vote for the Bill as it stood. The punishment, the hon. and gallant Gentleman said, was not a brutalizing one, it rather incited to deeds of valour, as men who had undergone it would show their fellows the way, if the chance of doing so should occur, of gaining special distinction. But the other reason assigned by the hon. and gallant Member for voting against Her Majesty's Government was a still more remarkable one—it was this, that so long as the number of 50 lashes was retained he would never hear of flogging being dispensed with. The hon. and gallant Member did not say whether the exact number of 50 ought to have been retained, or whether 50 stripes save one, or 40 stripes save one, would suit his views; but because 50 had been reduced to 25 the Government had forfeited all claim to his support. The hon. and gallant Gentleman confessed his inability to indicate any kind of substitute for corporal punishment. The French system, which appeared to consist of shooting those who under British rule would be flogged, was not, in the opinion of the hon. and gallant Member, a desirable one. The Russians when they got drunk embraced their comrades, and did not, like the British soldier, engage in assaults of a violent nature; while the Germans were of too elevated a character to be flogged. The one being too high and the other too low to be flogged, there was, therefore, no occasion to resort to the punishment of flogging in their case. It was only in the British Army, and then only in the case of 50 lashes being inflicted on the sufferer, that flogging was to be retained. Now, for his own part, he had always held that in a case of this kind the only possible course for a civilian to adopt was to take his opinions at second-hand. If he wanted a medical opinion, he would go to his doctor; if he wanted a theological opinion, he would go to a theologian; and in such a matter as the present, in the absence of special knowledge, he was compelled to fall back on the opinion of experts. Good sometimes came out of evil, and the charge against the Government of whittling away the punishment of flogging till it was no longer worth retaining might, perhaps, be a lesson to them that it was unwise to attempt government by concession. He regretted that they were to have a Party fight upon the question before the House. The question was one which ought to be settled by a few experienced heads and which ought not to be decided on humanitarian, but on purely rational grounds. The Party to which he belonged had always been consistent in this matter, and had voted through long periods of Liberal Government for the retention of flogging, even when the punishment was more severe than at the present time. The Party on the other side of the House supported the Motion of the Leader of the Opposition for different reasons. The Irish Members of the Opposition supported it because they had reason to believe that the course of conduct in which they had recently indulged was becoming increasingly odious to the people of this country, and they hoped that their opposition to the Army Discipline Bill might be thought better of if surrounded with a halo of humanitarianism. The peace-at-any-price Party opposed flogging as humanitarians, and because it was a part of their political creed that Armies were unnecessary. This Party saw that the best way to put an end to an Army would be to reduce its discipline as far as possible, and so convert it into a military mob which the country would wish to rid itself of as quickly as possible. The real difficulty of such subjects as that which was engaging the attention of the House was due to the fact that the nature of war was in itself exceptional. It was quite idle to suppose that one could argue from analogies drawn from private or social life as to the necessity or policy of the kind of punishment which should be introduced into the Army. A military punishment must be short, sharp, and deterrent. An hon. Member asked—"Why not take a soldier who should misbehave himself in the front in Zululand back to a prison in Natal?" Well, if he, being a military prisoner, were given the option of receiving 50 lashes, or of being taken across 800 miles of territory where there were persons whose kraals had recently been burnt, and who would not be inclined to treat Europeans in a very friendly manner, he should not hesitate about taking his 50 lashes, and so ending the matter. The real difficulty with regard to all secondary punishments lay in the question, "What kind of punishment is it best to adopt?" For very severe offences the penalty of death must be inflicted. Then came those offences which were not so serious as to necessitate capital punishment, but which still required a serious punishment. The practice of flogging prisoners had existed for a great number of years, and the punishment had been gradually reduced from formidable to reasonable proportions; so that, while sufficiently deterrent, it could not be so severe as to necessitate the placing of a sufferer from it in a hospital. Should they give up this punishment with a light heart in obedience to humanitarian motives? They were assured by hon. Members opposite that soldiers would not in future be shot; and, therefore, if flogging were abolished, the ingenuity of commanding officers would have to be exercised in order to devise some mode of torture which should not involve the infliction of stripes, but which should be equally deterrent. Although he was sure that the noble Lord the Leader of the Opposition had spoken with perfect candour when he said he did not propose this Amendment in consequence of the family difference which occurred a few nights ago between him and the hon. Member for Birmingham (Mr. Chamberlain), and that the date of his change of opinion was antecedent to that little episode, still, it was difficult to believe that the Liberal Party would, as a whole, have arrived exactly at the present moment at the conclusion that the time had come when corporal punishment ought to be abolished, unless it was found necessary that something of that kind should be done to supply a "cry" for the next Election. For himself, he did not believe that cry would be successful. It had been tried before, and had failed. If it had not answered the purpose of the Liberal Party when flogging was more severe, it would hardly serve their turn when this punishment had been reduced to such very limited proportions. There were some humanitarians in this country who scarcely cared what happened to the soldier as long as he was not flogged; but he believed that the vast majority of the electors would hold that the Government were right in sticking to their colours, and that if any charge could properly be brought against them, it was not that they had in this matter conceded too little, but that they had been too long in making a resolute stand.

Mr. HOPWOOD remarked, that this was a question on which public opinion had grown, and it had grown to such an extent that the Leader of the Opposition was now found to advocate the abolition of flogging. It was most unjust as well as ungenerous towards the noble Lord (the Marquess of Hartington) for hon. Gentlemen opposite, whom he had so often helped in their difficulties from a remarkable spirit of fairness, now to assert or insinuate that he had changed his opinion in order to obtain a Party cry. Those who imputed that unworthy motive to the noble Lord strangely enough told them that that cry had been taken up by the Liberals before and had utterly failed. He had reason to believe that the noble Lord had resolved on his change of attitude as regards flogging, even at the time when he (Mr. Hopwood) had had the misfortune to incur his displeasure. He maintained that the Government themselves—or rather the four most prominent of its Members in the House — had had it in contemplation to do away entirely with the lash—a kind of punishment which did not exist in any Continental or American Army, and which was now exclusively reserved for the back of the British soldier only. Much had been said against the "sentimentalism" of those who opposed the use of the "cat;" but did those who talked thus understand the power, the nature of sentiment? What was the sense of honour itself—one of the most potent feelings in the human breast—but a sentiment peculiarly to be encouraged in the soldier, but most likely to make him regard flogging as painfully degrading? This punishment affected the good and the bad alike, for in arbitrary and cruel hands it menaced both, and must prevent men of character from enlisting. Every man who entered the Army was aware that, in certain circumstances, he would be liable to flogging. The argument upon which flogging was maintained as a punishment, that it was indispensable for discipline, was one, in his view, after the experience of other Armies, altogether untenable. If they said that so bad a class of men entered the Army that discipline could not be maintained without it, they were bound to show how it was that Armies based on conscription, which brought all classes of men into them, did not resort to such punishment. The right hon. and gallant Gentleman the Secretary of State for War had not alluded to the American Army, in which flogging was abolished in 1861. America was thronged with roughs sent to them from Europe, and her Army was formed like ours — by voluntary enlistment — and yet the abolition of flogging was attended with complete success. This question of punishment to repress offences was not new to those who studied the law of civil life and its administration. If you abolished a cruel or too severe law you always had the satisfaction of finding that the punishments left subsisting immediately acquired a new, an increased repressive value, and might each be reduced from highest to lowest without diminution of their moral effect. If this punishment were removed, there would be an immense and immediate improvement in the moral tone of the Army, and every other punishment would become more potent. Discipline, rightly understood, of course, must be maintained; but he believed if they relied less on force they would work great improvement. They were told it would be necessary to have recourse to the bullet if the lash were done away with; but in the Peninsular War the bullet had frequently to be resorted to though the lash was in full force. The proposal of the noble Lord the Leader of the Opposition was fair and reasonable, and would, in all probability, be carried into effect before long.

Colonel ARBUTHNOT said, he was not in the habit of using strong language; but he did not hesitate to denounce the noble Lord's Resolution as unjust, and, if it was a Parliamentary expression, as disingenuous, also. It was calculated and intended to fix upon the Government the odium of maintaining the punishment of flogging in all circumstances and to all time. They wished, however, to do nothing of the kind, and considered corporal punishment most undesirable, but indispensable. Unhappily, it seemed to be more than ever necessary in the present day; and hon. Members opposite would bear in mind that the condition to which the Army was reduced was the result—unintentional, no doubt, and unforeseen—of their own policy. He would be very glad when the Army recovered its old efficiency; but, in any case, it would be impossible to relinquish the punishment of flogging altogether. It was most important to retain the power to inflict it, though the necessity of doing so was much to be regretted. Our Army served in all parts of the Globe, and in circumstances that fully justified the retention of corporal punishment; while the military systems of other Powers were so essentially different from our own that no valid argument could be drawn from them. He considered that the present state of our Army strongly supported his views. In our campaigns of some years ago corporal punishment had not been lavishly inflicted. If he remembered rightly, resort had been had to it very seldom during the Indian Mutiny, and not at all during the Abyssinian campaign. The hon. and gallant Member for Renfrewshire (Colonel Mure), however, had told them of the numerous occasions on which men had been flogged in Zululand; he could only say that such a statement furnished the strongest possible argument against the Resolution, and amounted almost to positive evidence of the deterioration within recent years of military discipline. The hon. and learned Member for Stockport (Mr. Hopwood) had expressed himself in forcible terms as to the degradation caused by corporal punishment; but he had, apparently, ignored the degradation necessarily produced by the commission of crime. The hon. and learned Member and the hon. and gallant Member for Sunderland (Sir Henry Havelock) might settle their differences by themselves; while the one desired the total abolition of corporal punishment the other might have been expected to move an Amendment involving its extension. Reference had been made to the effect which the existence of flogging in the Army had upon recruiting; but it would, he contended, have the effect of keeping out of the Army only those whom it was desirable to keep out of it. He would like to know from the noble Marquess, who had been Secretary of State for War, how he would deal with the men in the Army who were queer characters? He (Colonel Arbuthnot) could not see how, in the face of the opinions of the Commander-in-Chief, of the great mass of the non-commissioned officers, and of all the good men, bearing in mind, also, the peculiarities of our Service, the Government could consent to do away with that punishment altogether. As to the abolition of flogging being turned into an electioneering cry, as the hon. Member for Birmingham had stated, he could only say that he had no fear that he should be able to dispose of such a cry when he appeared before his constituents, as he had of others which were equally absurd.

MR. WALTER said, he could assure the House that he did not rise for the purpose of supplying any fuel whatever to those flames of Party feeling which flickered about from one side of the House to the other, and which he did not think were calculated to create that tone of seriousness with which the discussion of a question so solemn and important as that under the consideration of the House ought to be conducted. He would, he hoped, be excused for endeavouring to impress upon the House that it was not a question of Parliamentary, or of Party, but one of military discipline, and that expression meant nothing more nor less than the existence of that noble Service on which, up to the present time, the welfare and safety of this country depended. That circumstance alone, he thought, ought to carry it far beyond the reach of anything like Party triumph, or even an electioneering cry. The hon. and learned Member for Stockport (Mr. Hopwood), who was so well known as a supporter of the abolition of flogging, had spoken on the subject with peculiar authority, but, at the same time, with a very strong bias. He had the pleasure this Session of sitting on a Committee with the hon. and learned Gentleman on the question of summary jurisdiction, and he knew the opinions which he—and he alone, he believed, of the Members of that Committee—entertained with regard to the infliction of corporal punishment, even in the mild and harmless form of the application of the birch to a naughty boy. Being aware of those opinions, he must say that he could not help feeling that the hon. and learned Gentleman's views as to flogging in the Army ought to be received with a good many grains of salt; and, with all respect for the hon. and learned Gentleman, he could not look upon him as a competent authority to influence the decision of the House on the subject. He might be allowed to make one remark by way of illustrating what he meant. The hon. and learned Gentleman seemed to recognize the great necessity of maintaining military discipline; but he scarcely appeared to comprehend what a serious and important thing military discipline was, when he referred to that noble Force the Volunteers as showing in what it might be made to consist. Now, no one had more admiration for the Volunteer Force than he had, or valued more highly its services. As every hon. Member whom he addressed was aware, it had turned out a great number of splendid shots, and every year it went through certain military evolutions and a certain course of drill. But no one would contend that the Volunteer Force, important as it was, and capable as it was of being made a most efficient instrument of military power, was the model to which the country ought to look for military discipline; indeed, it was impossible that the Force, as at present constituted, could understand what that discipline really was. He would quote from memory from a French, not an English, source—*The History of a Conscript*, a work with which many hon. Members were no doubt acquainted—a short description of what was meant on the Continent by military discipline. The interesting person who was the hero of the work stated that on his arrival in a certain town in Germany, where his regiment was to stay some months, they began to learn discipline. "Now you are not," he went on to say, "to understand by that that we are learning how to shoot, or to do the goose step, or to perform certain other military evolutions, but discipline—that is to say, when the corporal speaks to the soldier the corporal is always right, and when the sergeant speaks to the corporal the sergeant is right, and when the captain speaks to the sergeant the captain is right, and the colonel is right when he speaks to the captain, and so on up to the Field Marshal, even though he should say two and two make five, or that the moon shines at mid-day. That is a very difficult thing for the conscript to learn; but it greatly aids my memory to see in the room written up the 'Articles of War,' with a notification at the end of them that any infraction of them is punishable by death or the *boulet*, a kind of shot-drill." Now, a soldier had to be taught all that sort of thing, and, looking at the class of men with which we had to deal in our Army, seeing that they were men who had not the advantage of much schooling or a good early training, very severe means must frequently be resorted to to teach them discipline, and to impress the necessity of it upon their minds. The British Army was composed of a collection of units; but each unit was a portion of a great machine, the failure of any one of the parts of which would jeopardize the safety of the whole machine. Therefore, the crime of one man was multiplied 800 times, because his conduct affected his whole battalion. An offence such as the plunder of a henroost, or the robbery of a shop, which in civil life would be simple larceny, was a felony, a crime of the worst description, in a soldier, and it was on that ground that these offences were of so formidable a character. But the condition of things at which they had now arrived was, in his opinion, an unfortunate one, and he would tell them why. They were within a very small distance of coming to an agreement as to the proper mode of treating this question. He never understood his right hon. Friend the Chancellor of the Exchequer to promise an abolition of corporal punishment, or to hold out to the House or the Committee any idea of that nature. But his right hon. Friend, undoubtedly, offered this compromise—that a certain class of offences which were at present punishable by death should hereafter be the subject of corporal punishment. How was it that, with that offer from the Government, the two Front Benches did not come to terms? He could not help thinking that if the Secretary of State for War and the noble Lord the Leader of the Opposition had been closeted for 10 minutes they would have settled this question. That settlement might not have been altogether agreeable to his hon. Friends behind him; but he believed it would have been satisfactory to men of business. And one thing he complained of as tending to prevent a proper understanding on this question was this—that the Paper, called a Memorandum, explanatory of the Schedule relating to corporal punishment had not been circulated with the Votes. It was with some difficulty that he got a second copy in the Vote Office. He found the Memorandum had not been distributed daily with the Amendments to the Bill, and he came to the conclusion that very few Members knew anything about it. He could not believe that if the noble Lord the Leader of the Opposition and his right hon. Friend the Member for Greenwich had had that Paper continually before their eyes, and had known how very different an interpretation it bore from that which was popularly put upon it, they and the Government could have failed to come to an agreement. There was a notion abroad that the difference between the two Front Benches was this—that the Government had proposed that corporal punishment should be used as a substitute only for capital offences. Well, the Opposition said — "Very good; but your list of capital offences includes many offences for which, not capital punishment, but only flogging is inflicted." Here were 26 heads of offences named in this Memorandum. He had read them very carefully, and he ventured to say that not more than six or seven of these were offences which a commanding officer in time of war would regard as not deserving of death. No. 1, a man who "shamefully abandons or delivers up any garrison, place, post, or guard, or uses any means to compel or induce any governor, commanding officer, or other person shamefully to abandon or deliver up any garrison, place, post, or guard, which it was the duty of such governor, officer, or person to defend" —death; No. 3, a man who "treacherously holds correspondence with or gives intelligence to the enemy, or treacherously or through cowardice sends a flag of truce to the enemy"—death; No. 4, a man who "assists the enemy with arms, ammunition, or supplies, or knowingly harbours or protects an enemy not being a prisoner"—death; No. 5, a man who, "having been made a prisoner of war, voluntarily serves with or voluntarily aids the enemy"—death; No. 6, a man who "knowingly does when on active service any act calculated to imperil the success of Her Majesty's Forces or any part thereof"—death. The next three appeared to him to admit of lenient treatment. A man who "misbehaves or induces others to misbehave before the enemy;" a man who "leaves his commanding officer to go in search of plunder;" a man who, "without orders from his superior officer, leaves his guard, picquet, patrol, or post." The next offences might be dealt with leniently, though they were very formidable. No. 10, "forces a safeguard;" No. 11, "forces or strikes a sentry;" No. 12, "impedes the provost marshal or any officer legally exercising authority under or on behalf of the provost marshal, or, when called on, refuses to assist in the execution of his duty the provost marshal or any such officer;" No. 13, "does violence to any person bringing provisions or supplies to the Forces, or commits any offence against the property or person of any inhabitant of or resident in the country in which he is serving;" No. 14, "breaks into any house or other place in search of plunder;" No. 15, "by discharging firearms, drawing swords, beating drums, making signals, using words, or by any means whatever intentionally occasions false alarms in actions, on the march, in the field, or elsewhere;" No. 16, "treacherously makes known the parole or watchword to any person not entitled to receive it; or, without good and sufficient cause, gives a parole or watchword different from what he received." That brought him down to the 16th offence. All these were matters of death. No. 17, a man who "irregularly detains or appropriates to his own corps or detachment any provisions or supplies proceeding to the Forces, contrary to any orders issued in that respect." That might be matter for a lenient punishment. Then came a long list of very bad offences—No. 18, "being a sentinel, commits any of the following offences—that is to say, (a) sleeps or is drunk on his post, or (b), leaves his post before he is regularly relieved;" No. 19, "causes or conspires with any other persons to cause any mutiny or sedition in any Forces belonging to Her Majesty's Regular, Reserve, or Auxiliary Forces, or Navy;" No. 20, "endeavours to seduce any person in Her Majesty's Regular, Reserve, or Auxiliary Forces, or Navy, from allegiance to Her Majesty, or to persuade any person in Her Majesty's Regular, Reserve, or Auxiliary Forces, or Navy, to join in any mutiny or sedition;" No. 21, "joins in, or being present does not use his utmost endeavours to suppress, any mutiny or sedition in any Forces belonging to Her Majesty's Regular, Reserve, or Auxiliary Forces, or Navy;" No. 22, "coming to the knowledge of any actual or intended mutiny or sedition in any Forces belonging to Her Majesty's Regular, Reserve, or Auxiliary Forces, or Navy, does not without delay inform his commanding officer of the same;" No. 23, "strikes or uses or offers any violence to his superior officer, being in the execution of his office." These offences were punished, and he maintained they ought to be punished, with death. No. 24, a man who "disobeys any lawful command given by his superior officer in the execution of his office;" No. 25, "deserts or attempts to desert Her Majesty's Service;" No. 26, "persuades, endeavours to persuade, procures, or attempts to procure any person subject to military law to desert from Her Majesty's Service." Of these, the 25th and 26th ought unquestionably to be punished with death. Of these 26 offences, all but six or seven might be punished with flogging, instead of with death. Was that a proper thing to imperil the discipline of the Army upon? These crimes must be prevented. He should like to see a request made that every Member of the House would write on a piece of paper the name of the punishment he would substitute for flogging, and place it in a box. He thought the House itself would be surprised at the marvellous want of unanimity in regard to the matter. Now, what was the proper thing to do? He would put himself in the position of a commanding officer. He would imagine a poor fellow brought before him and convicted of one of these minor offences. He would have to say to him—"My good fellow, you have been legally convicted by a court martial of an offence the punishment of which is death. You know perfectly well the serious nature of the offence you have committed. I am very sorry for your case. If I had the power of remitting the sentence, your offence should be punished with flogging; but Her Majesty's Government and the Opposition would not agree, and I have no choice but to have you shot." [*Cheers.*] He did not like the Amendment of the noble Lord, and could not vote for it. It must mean one of two things—either that the noble Lord objected to corporal punishment being made permanent, or that he objected to corporal punishment altogether. If the noble Lord meant either the one or the other, why did he not speak out plainly? Had the Amendment pointed, or been so amended as to point, to the temporary retention of flogging, say for a couple of years, in order that the officers might turn round and see what was to be substituted, he should have been disposed to support it. As the matter stood, however, he should not take any part in the Division; but he should endeavour to confine himself to a careful examination of the details of the Schedule, and to do the best he could to bring them into such a shape as would command the confidence of the country.

Mr. OTWAY said, both the Amendment and the speech of his noble Friend were perfectly plain, and raised an issue of a very simple character. He would only retain corporal punishment as an alternative to death. This question of flogging had been so long and so much discussed that they might afford to dismiss a great many of the arguments on this occasion. Every day, however, that it was discussed it seemed to him the issue was being made more and more narrow and the result more and more certain. They had been asked not to address themselves to this question in a Party spirit. His conscience was entirely free on that point. Never from the earliest moment that he had interested himself in this question had he taken a Party view of it; but while on that side they had always addressed themselves to this question in a fair spirit they had some very severe imputations cast upon them. They were told that they were "the advocates of ruffianism in the Army" because they wished to abolish this punishment which it was said was applied to the "ruffians" and the "blackguards" of the Army. He was not prepared to say that these were proper terms for hon. Members on the Conservative Benches to use with regard to our Army—that it was composed of "ruffians" and "blackguards." ["No!"] Those were the terms used by hon. Members opposite. He thought the soldiers who fought at Rorke's Drift and in other parts of Zululand and in Afghanistan would repel those terms with indignation, more especially when the terms "ruffians" and "blackguards" were applied by those who called themselves the soldier's friends. The burden of proof lay with those who desired the retention of the punishment of flogging to show that discipline could not be maintained without it. This he maintained could not be done. It had been said that corporal punishment was inflicted in the German Army; but this was quite incorrect. Nothing of the kind existed in the German Army; it had long been done away with in Germany. The Secretary of State for War had stated that there was a difference between our Army and those of the Continent, inasmuch as we generally operated in barbarous countries. Well, the English Army had to operate, as it was called, in barbarous countries—in many where it had no business to be called upon to operate at all. But he contended the argument about barbarous countries told the other way. The temptations of the German Army in possession of the large and flourishing cities of France were far greater than any temptations to which the English Army operating in barbarous countries could be subjected. To the temptations of the German Army were added the recollections of the wrongs of many invasions; but it was a notorious fact that during the whole of the Franco-Prussian War only three men of the German Army were put to death for misbehaviour during the campaign. Then as to the Austrian occupation of Herzegovina and Bosnia, carried out amid a hostile population and against the ill-will of the Ottoman Forces, discipline had been maintained without corporal punishment. The American Army was strictly analogous to the British Army—in fact, there were many Englishmen in the American Army; but discipline was strictly maintained there without the lash. He remembered the time when it was said it was impossible to maintain discipline in the Navy without flogging, but now flogging was exceedingly rare in the Navy; and a few nights ago, at a large public meeting, a most distinguished officer, Admiral Glyn, who was selected to convey the Prince of Wales to India and bring him back, in reply to a question, said he was convinced flogging in the Navy should be abolished. He did not see why an English soldier should be treated with greater severity than the soldiers of every other civilized Army in the world. He suggested that camp duty of a very disagreeable and almost painful character might be given to men guilty of disorderly character instead of resorting to flogging, which had utterly failed as a deterrent. He did not share the opinion of hon. Members opposite—that the death punishment would be inflicted for minor offences if flogging were abolished. It was an injustice to require a soldier to inflict corporal punishment upon a comrade, simply because an ill-conditioned provost marshal called him to do so. Hon. Members opposite had repeatedly spoken of high military authorities supporting their views on this question; but they had never once ventured to name any of those authorities, and he defied them to name them. His own belief was, that high military authorities had long been averse to this degrading punishment, and were of opinion that the discipline of the Army would suffer far more from the knowledge which soldiers would obtain of these discussions than it would gain from the retention of flogging. He had little doubt that on the ground of this being made a Party question the Motion of the noble Lord would be defeated, and that the Ministers, who not long ago were loud in their denunciation of flogging, would carry forward to a triumph the degradation which had been inflicted upon the British Army.

SIR CHARLES RUSSELL said, some credit was due to the hon. Member who had just addressed the House, because he had been a consistent opponent of flogging in the Army. He had no difficulty with that hon. Gentleman; but he had a difficulty to contend with in regard to the position taken up by the noble Lord the Member for the Radnor Boroughs and the right hon. Gentleman the Member for Greenwich; because, while they both told the House that they had no electioneering dodges or Party purposes in view, they entirely omitted to inform the House as to what had induced them so suddenly to change their opinions. He confessed he could not account for the sudden, if not suspicious, change; and he was at such a loss to describe it that he must, therefore, coin an expression for the occasion. When a catastrophe occurred in a mine from some unknown cause, it was generally attributed to what was called "spontaneous combustion"—a term which he was totally unable to comprehend. He must, however, congratulate the hon. Member for Birmingham (Mr. Chamberlain) on his great triumph.

He said this question was an admirable electioneering cry, and a very good one too. Then the hon. and gallant Member for Renfrewshire (Colonel Mure) gave a most able and convincing speech in favour of corporal punishment, and that hon. and gallant Member belonged to the spontaneous combustion Party. Therefore, they had on one side of the Gangway the electioneering cry Party, and on the other the spontaneous combustion Party. He should certainly like to hear the explanation of the right hon. Gentleman the Member for Greenwich; because he, of all other men, was in the best possible position, at a time when the Army was being tinkered from end to end, to terminate that which he now characterized as an evil. Instead, however, of doing this, the right hon. Gentleman year after year came down to the House and advocated the retention of flogging, and at the present moment—a most unfortunate one, as he ventured to think, for a question of the kind to be raised—he was engaged with the Leader of the Opposition in supporting a proposal which he might have made years ago in his position as First Minister of the Crown. References had been made in the course of the debate to the military authority; and he was in a position to say, from personal conversations with the highest military authorities, that they were of opinion that it was necessary for the best interests of the Army that the punishment should be retained. What had the so-called humanitarianism done for the Army? Last year, 1,811 men were discharged from the Army for disgraceful conduct, and he had it from the best military authority that the bulk, if not the whole, of those men were still serving in the ranks; and why? Because, whilst formerly soldiers discharged with ignominy were marked with "B.C," and could not, therefore, re-enter the Army, now there was no mark upon them by which they could be detected as bad characters on attempting to re-enlist. This fact was the more important, because under the short-service system there had been brought into the Army a parcel of boys, and they were contaminated and vitiated by being brought into close contact with habitual criminals of the deepest dye. With regard to desertions, formerly a deserter was marked with the letter "D;" the result of the abolition of that practice was that last year there were 5,416 desertions from the Army. To bring those bad characters to the ranks was to inflict upon the well-intentioned soldier a degradation which, compared with the lash, was perfectly absurd. Within the last few minutes there had been put into his hands a letter which stated that "the bearer of this is Simpson, of your old battalion." In 1856 he threatened to shoot his sergeant, and, having been tried and convicted of the offence, was flogged. He not only completed his then term of enlistment, but at its conclusion re-enlisted, and on his final discharge had gained five good conduct badges. He stated that from the day on which he was flogged he became a new man; and he was at that very moment in the Lobby, where any hon. Member might see him. He was earning an admirable livelihood as a civilian, and would tell hon. Members that he felt as little degraded as any hon. Member by the punishment he had undergone. Evidence could be produced to show that in many cases men in the Army had been completely reformed by the infliction of corporal punishment, and that since the adoption of the humanitarian principle to which he had referred crime in the Army had increased by 50 per cent. Notwithstanding this fact, it was said that if flogging was abolished the country would secure the services of a much superior class of soldier; but he did not think this would be the case, because men of the class could not be induced to enlist. He should like to know on what military authority and advice the noble Lord and the right hon. Gentleman the Member for Greenwich had determined to advocate the abolition of the lash. Curiously enough, both of them referred to young officers. Now, as it had been found that young soldiers were a failure, must it not be supposed that the advice of young officers was a failure too? For his own part, he would sooner seek advice from officers who had served with distinction, who had led their troops in circumstances of difficulty, and who had endeared themselves to their men. What was it that made the life of an English officer safe when he was in a barbarous country among his men? It was the fact that the men loved him and protected him, knowing that he was their real friend. We never heard of our officers being shot from behind by their own men, as was sometimes the case in foreign Armies. An English officer tried really to benefit the soldiers, and did not think he was serving them by taking up any claptrap cry that might be raised. With regard to some hon. Members opposite who made such a fuss in this matter, he would ask whether their names could be found among the lists of the supporters of those measures which had really benefited the Army and helped the soldier? It was only when a good Election cry was required that we found this immense enthusiasm. He did not know the source from which the noble Lord had taken his inspiration; but it savoured a great deal more of the Old Bailey than of the barrack-room. Just now he had mentioned an instance in which corporal punishment was proved to be a cure. On this point he would narrate an anecdote. An American found it was very cheap talk to condemn flogging, and he told his audience he would prove it. "My father," he said, "once flogged me very severely when I was telling the truth." "Wall, now," observed another American, at the end of the table, "I have knowed you since you've growed up, and it appears to me that your father has cured you." He was himself flogged when at Eton, and he knew that it did him, as an Irishman would say, "a power of good." Did hon. Gentlemen think that a soldier considered himself degraded because he was flogged? The degradation was not in the punishment, but in the crime. It was very hard that officers, who were as high-minded and as high-principled as hon. Gentlemen opposite, should be disarmed of a weapon which they used as rarely as they could. Officers took the greatest pride in their regiments, and were lauded by the Horse Guards if they could get on without corporal punishment. There was not only the natural instinct of humanity, but the desire to stand well before the authorities in the Army and the public opinion at large, which constituted a proper and sufficient guarantee that this punishment would not be abused. He maintained that hon. Gentlemen opposite were taking a grave and serious responsibility at the very time when we were told that officers at the Cape had great difficulty in controlling their men, and when crime had been more rampant than usual. Those who had the power should remember that they had also the responsibility; and he trusted they would calmly consider before, either by way of spontaneous combustion, or for an electioneering cry, they took away that which the best authorities in the Army and the most experienced military men said was a power which they wished rarely to use, which was distasteful to them to use, but which they must use on occasions of rare necessity.

MAJOR NOLAN said, with reference to the case of Simpson, which was quoted by the last speaker, that a general officer once told him a similar story of a man who accosted him in the Park, remarking, "I was with you at Gibraltar; you flogged me four times and dismissed me with ignominy from the Army, but I have always had a great respect for you." In this instance the ex-gunner got half-a-crown, and was, no doubt, well pleased with the transaction; but he did not think cases of this kind afforded a good reason for flogging the men. The hon. and gallant Member for Westminster (Sir Charles Russell) made a reference to some observations made by the hon. Member for Birmingham (Mr. Chamberlain) the other night, and stated that the hon. Gentleman had adopted the course of opposing the continuance of flogging simply for electioneering purposes. He (Major Nolan) listened to the speech of the hon. Member for Birmingham, and understood him to declare that he had not used this matter as an electioneering cry, because he had always been in favour of the abolition of corporal punishment; but that by the action of the Government it would be made an electioneering cry. But the greater part of the speech of the hon. and gallant Member for Westminster was devoted to the whole general administration of our Army. He did not deal in any way satisfactorily with the question of flogging. No doubt, there were evils in enlisting men at too early an age, as he had before pointed out. That was a very important point for consideration; but it did not touch the question they had now prominently before them. There were also many evils in the Army, such as had already been referred to; but he asserted that those evils would not be remedied by the use of the lash. How did the question stand at the present stage? In going through Committee the Bill had been changed in many respects, and in none more than in this matter of flogging. Nine-tenths of the bad cases would be abolished. He acknowledged that. As the Bill was drawn, and with the Amendments of the Secretary of State for War, a man could be flogged only for the most serious crimes. But, having done so much, what was the use of retaining the punishment for a few isolated cases? In fact, there were only two cases in the Schedule for which flogging would be useful. One was sleeping on one's post. They would have to shoot a man for that if they abolished flogging. The only other case was that of gross and wilful insubordination. On the other hand, what did they lose by retaining flogging? They put the soldiers of Great Britain and Ireland in a lower position than the soldiers of any European country or the United States; and they could not put a soldier in a lower position without injuring his *morale* in the field. Hon. Gentlemen said that the punishment was not felt as a degradation. But it was brought home to a man as a degradation in every way, through debates in Parliament, through the newspapers, in the theatres of garrison towns, where references to flogging used to be very common—much more so than they were now. It would be brought home to a man in his native village, where he would be told that he should be flogged. In that way it injured recruiting. It was asked, "How will you remedy many petty acts of indiscipline without flogging?" But this Bill did not profess to deal with such acts, but only with the graver offences. As far as he had seen, flogging was resorted to very much to correct our own faults of administration. They flogged a dog, and as long as they flogged soldiers the latter would think they were treated as dogs. In foreign Armies it was the custom to brigade not merely battalions, but brigades and divisions in time of peace; and, consequently, when a man went into the field he found himself exactly in the same circumstances in time of war as he had been in time of peace. As a general rule men were flogged, not for disobedience to their own officers, but for disobedience to other officers into contact with whom they were occasionally thrown. Now that men were getting more civilized they resented being flogged, which they looked upon as a class distinction. And they were right. On previous occasions there was a question whether other Armies flogged or not. He drew the attention of the Secretary of State for War to the matter, and reminded him that he had got means of information which were not open to private Members; he could apply to the Military *Attachés* abroad, and let the House know what were the facts. But the right hon. and gallant Gentleman did not accept the challenge. The time had gone by for flogging, and its continuance would weaken instead of strengthen the Army.

Mr. CHAPLIN trusted it would not be considered unduly intrusive on his part if he ventured to offer a few observations on this occasion. The question which was raised by the Amendment of his noble Friend was exceedingly simple; it was this. Was flogging a necessity or not for the maintenance of discipline in the Army in the field? The noble Lord told them that was a matter on which they must be guided by the highest authorities. The right hon. Gentleman the Member for Greenwich also expressed the opinion that these authorities were of the widest character. What were those authorities, and what had they said on the subject? First, they had the opinion of his right hon. and gallant Friend the Secretary of State for War, who spoke not only from his own practical military experience, and with the full responsibility of the position he occupied, but with all the advantages he derived from intimate and frequent communication with men of the highest military experience, and a full knowledge of their views on the subject. What had he told them only two nights ago? He expressed it as his deliberate opinion that the Government were absolutely compelled to retain corporal punishment for the Army in the field. That was the opinion of the Secretary of State for War—it was also the opinion of the present Administration. What was the opinion of their Predecessors in Office? He had referred to some previous discussions on the question of flogging, while his noble Friend the noble Marquess was in charge of the same Department. He found in 1864 a discussion in which his noble Friend spoke and voted on the question of flogging. On that occasion, he both spoke and voted against the abolition of flogging, and was followed into the Lobby by the right hon. Gentleman the Member for Greenwich. In 1865, again, the noble Marquess voted against the abolition of flogging. Again, in 1866, the question of flogging in the Army was discussed, when he found his noble Friend voted against its abolition, and was followed into the Lobby by the right hon. Gentleman the Member for Greenwich. Again, in 1867, the abolition of flogging in time of peace was proposed, and on that occasion his noble Friend and the right hon. Gentleman the Member for Greenwich, being no longer in Office, did not find it convenient to attend in their place. From that day to this they had not been called on to express any opinion on the question. He came next to the opinion of the military authorities. They were told to-night by the right hon. Gentleman the Member for Greenwich that all the younger officers in the Army were opposed to flogging. That was not his experience. So far as he was able to gather the opinions of officers, either young or old, they appeared almost unanimous that flogging was necessary for the maintenance of discipline. But even supposing the right hon. Gentleman was right, he placed the opinions of the young and inexperienced officers of the Army against those of the old and experienced. He had stated the views entertained on this subject by the late Administration, by the present Administration, and the great military authorities of the country; but that was not all. They had the advantage of knowing what were the opinions on this subject of those who sat on the Front Opposition Bench. The whole principle of flogging was raised on the 20th of May on an Amendment moved by the hon. and learned Member for Stockport (Mr. Hopwood), when 239 Members voted for retaining flogging, and 56 against it. On that occasion the hon. and learned Member for Oxford (Sir William Harcourt) voted in the majority. That was not all, for he found that on June 17, 1879, the hon. and learned Member for Oxford expressed an opinion on the question, and said—"For his own part, he had come to the conclusion that flogging could not be dispensed with on active service." Here, then, was a mass of concurrent opinion on the part of all the military authorities of the country, on the part of the late Administration, and on the part of the existing Administration, and on the part of the Leaders on the Front Opposition Bench in favour of the retention of flogging; and he had heard nothing during this discussion to account in the slightest degree for the extraordinary change of opinion which had taken place. What were the arguments which had been used, and who were the real Leaders of this opposition? The real Leader of the whole movement now had been the hon. and learned Member for Stockport, and the time had come for him to take a more prominent position than he occupied in his modest retirement below the Gangway. He had been followed by the junior Member for Birmingham (Mr. Chamberlain), and both were respectable Members of that Assembly. He was not, however, aware that either possessed any special knowledge or experience on the question which would entitle their views to peculiar weight. Arguments they had never condescended to address to the House. The hon. and learned Member for Stockport had said he objected to flogging because it was brutal and beastly; and the hon. Member for Birmingham was scarcely less happy, for he described it as barbarous, disgraceful, and degrading to those who were flogged. [*Cheers.*] As hon. Gentlemen cheered, he supposed their civilization was a good deal more advanced than his own. Had these hon. Gentlemen ever heard of Eton and Harrow and of the birch-rod? When they talked of flogging as disgraceful to those who received it, they forgot that their remarks applied to probably three-fourths of the Members on both sides of the House. These were the views of the real Leaders of the opposition on this subject; and what were those of the nominal Leaders on the front Opposition Bench? He heard with surprise and the deepest regret the speech of the noble Marquess on Tuesday night. The sole reason he was able to advance in support of the extraordinary change of opinion on his part was that he had doubts in his own mind as to the views or convictions of Her Majesty's Government about the means of maintaining discipline in the Army without corporal punishment. That was the sole reason which was advanced by the noble Lord; and now that ground was completely cut from under him, because the Secretary of State for War had stated two or three times in the most clear and explicit manner that the opinion of Her Majesty's Government was that the retention of corporal punishment was absolutely necessary. That was his noble Friend's position on Tuesday night last; he was prepared to propose a Preamble by which he declared flogging must be abolished, and, at the same time, he was ready to accept a Schedule and clause by which, without the least alteration, flogging was nevertheless to be maintained. That was the position of the noble Lord up to Tuesday night last, and they were entitled to ask that night for some more distinct explanation than any they had had of this further and additional change on his part, by which he proposed to abolish flogging in the Army altogether. He desired to refrain from making any charge against one on the other side of the House. All he asked was that right hon. Members should give some distinct explanation of the change in opinion on their parts. If they did so, they would be acquitted entirely of any evil intention whatever; if they did not, in the absence of the slightest explanation, the only possible conclusion, so far as they were concerned, would be that the discipline and efficiency of the Army and the welfare of the nation might go to the dogs so long as they were able to manufacture a cry which they thought would be a fitting and a suitable cry for the hustings. The position taken up on this question was inconsistent and illogical. They had before them a Schedule containing a long list of offences to which the penalty of death had been already attached, with the consent, certainly with the silence and implied approval, of hon. Gentlemen opposite. ["No!"] But now the Government had come forward with a proposal that the penalty of flogging was also to be attached to that list of offences, not, as he understood, as an addition, but, generally speaking, as a substitute and an alternative for the extreme penalty of death. That seemed to him to be a most natural and a most humane proposition; but hon. Gentlemen opposite said—"No, nothing of the kind;" and they spoke only in the name of humanity. Flogging, they said, must be abolished, but the penalty of death should be retained. Humanity was one of the highest and noblest qualities of human nature; humanity, when it was true, when it was not used as a cloak for a purpose which must not be admitted, was a virtue beyond all price. But what did they hear that night? That we must have discipline by death for our gallant soldiers, for our fellow-countrymen serving their country. Discipline by death was the measure of the mock humanity of the hon. Members for Birmingham and Stockport. He could not help thinking there must be reasons other than those which had been avowed for this extraordinary change in the opinions of the right hon. Gentleman opposite. Could it be found in the differences which were exhibited a few nights ago in the happy family on the other side of the House? The Leadership of the noble Lord was openly repudiated, and on a point of Order only; but what might he have expected if he had asserted his opinion on a question of principle in which flogging was involved? Flogging, evidently, was intended to tell upon the Elections; the hon. Member who had rebuffed his Leader went down to Birmingham—the home of the Caucus—for the natural purpose of looking after it; and now it turned out that he had set to work all his wires and all the resources of this American organization to agitate this question. It could not be said that he had been happy in the selection of a cry with which to go to the country, for what he said in effect was—"I will take care of our soldiers; I will not have them flogged, but I will have them shot." "The bullet for the Army!" was the cry with which the junior Member for Birmingham had decided to go to the country. "The bullet for the Army and the caucus for the country" was a cry which had indeed an American flavour about it with a vengeance, and he heartily wished the hon. Member joy of its reception at the hands of the people. He noble Friend had gained a high and well-earned reputation, for his task—the Leadership of the present Opposition—was indeed a delicate and a difficult one; but he trusted his noble Friend would forgive him if he told him the opinion which was widely prevalent that day, that in all his life he never played so bad a card as that which he had thrown upon the Table of the House that night, and that this manœuvre, so transparent and so clumsy—which had not even the merit of being clever, although, in the opinion of some people, possibly it might be unscrupulous—would recoil, he might be certain, with nothing but ridicule upon its authors; even if, indeed, for himself and for his Party, it did not end in disaster and disgrace.

SIR WILLIAM HARCOURT: Sir, I shall not offer the same apology for intruding upon the attention of the House as that with which the hon. Member for Mid-Lincolnshire (Mr. Chaplin) prefaced his speech, when he said he had taken no part in the discussion upon this Bill. I am afraid I cannot say the same; but, perhaps, not because I have taken part in the discussion upon the Bill, I should wish to say a few words upon the subject of the vote which I am about to give. I confess that the denunciations I have just heard from the hon. Member for Mid-Lincolnshire, as to the Party motives by which I and others who sit around me are actuated, fall very lightly upon me. Hon. Gentlemen, no doubt, are of opinion that throughout the whole of the discussion upon this Bill the course which I and others have taken has been governed by a desire to embarrass Her Majesty's Government. I should be perfectly prepared for those who hold that language; because I have frequently felt during the last week, whilst my noble Friend was doing all he could to support them, and fight their battle, that the leading Members of the Cabinet were denouncing him-out-of-doors. We do not look for gratitude in politics; we do not expect it; and we do not wish for it. We take the course we think proper, and from the situation which we ourselves occupy; and the course which, for my own part, I have thought it proper to take, has been to give all the loyal assistance in my power to the progress of this Bill, not only in this House, but out of this House, and to help the Government in such alterations as they might think fit to make in this measure, in order that those alterations might be made in the easiest and most effectual manner. It is very easy upon a Bill of this kind for an Opposition, wanting to embarrass the Government, to place them, over and over again, in a humiliating position. But we have not taken that course. Therefore, the denunciations of the character uttered by the hon. Member for Mid-Lincolnshire, and the tone of acrimony which I think, alone from the opposite Bench, has been introduced into this debate by the noble Lord the President of the Board of Trade (Viscount Sandon) are somewhat misplaced. The noble Lord thought fit to say of my hon. Friend the Member for Sheffield (Mr. Mundella) that he had made wanton statements in this House. Well, Sir, if the hon. Member made wanton statements with reference to the punishment by death in foreign Armies, it was perfectly within the competence of the Government, with their means of information, to have ascertained what has been the effect upon any foreign Army of the abolition of flogging with respect to the increase of punishment by death. But the Government have produced to the House no information of that character; and, therefore, I venture to say that the noble Lord the President of the Board of Trade is not entitled to treat as wanton the statements made by the hon. Member for Sheffield. This subject is, confessedly, very difficult and embarrassing; and the hon. Member for Mid-Lincolnshire, as well as others, ask why Members of former Administrations who are now disposed to support the abolition of corporal punishment did not take that course before? The first observation which I have to make is, that it is the act of the present Government which has brought the whole of our military law under review. Mutiny Act after Mutiny Act has hitherto passed unobserved and undiscussed; but it was the decision of the present Government that the whole of this subject should undergo revision, and, therefore, it was necessary that it should be carefully examined. I am bound to take some blame to myself, so far as I had anything to do with the Committee upstairs; for I was a party, with a large majority, to discourage and reject a Motion on the part of my hon. Friend the Member for Hackney (Mr. J. Holms) for taking evidence upon, and inquiring into, the subject of corporal punishment. I see now, what I did not see at the time, that it was a mistake not to do so, because I think the information obtained would have been useful when the subject—as was certain to be the case—came to be examined in this House. The question was brought up in May last, and I supported entirely the view of the Government at that time. I voted with them, and I spoke on their side, as the hon. Member for Mid-Lincolnshire has said. The matter came on, and was largely discussed. It then began to be seen, by both sides of the House, that the existing state of things could not be supported. I say both sides of the House, because the concessions which were made by the Government, and which I took part in urging upon them, were accepted by both sides of the House, and this showed that former opinions had been changed by discussion and by the further light which had been cast upon the subject. Now, that was a very important circumstance. The noble Lord the President of the Board of Trade entirely misinterpreted the language of my noble Friend the Leader of the Opposition, when he said—"But you say if the Government had not made these concessions you would have supported them all through." That is not what my noble Friend said at all. He pointed out the fact that, from the moment at which it was admitted that the former view, which the hon. Member for Mid-Lincolnshire has referred to this evening as being taken up by the previous Administration, could not be sustained, the whole aspect of the question had changed. That is quite obvious. The hon. Member for Mid-Lincolnshire quoted from a speech delivered by my noble Friend in 1864; but he knows very well that at that time the Government opposed doing away with corporal punishment in time of peace. The punishment, however, was done away with in time of peace, in spite of the Government and the military authorities; and does any man say that evil has come from this? What was the first thing which happened during the progress of this discussion? A great change was made. A Schedule was promised, which was, in effect, to reduce very largely the number of offences to which corporal punishment was applicable, and the magnitude of the punishment was also reduced. That showed that the Government and the military authorities were not sure of their ground. I do not blame them for taking that course; but when they agreed largely to diminish the number of offences and lashes it showed that the information upon which they had hitherto acted was insufficient. These concessions being made, what happened next? For my own part, I was willing and ready to support the Government in the concessions which they then made, and in the position which they then took up. But were the Government satisfied with the appearance which the question had assumed? From circumstances over which I had no control, I was unable to be present in this House on Saturday week, and I can, therefore, only speak from the information which I have received through the ordinary channels; but upon that Saturday the Government, who had days before promised a Schedule, and a reduction in the number of lashes, came forward and stated that the question was about to assume a new aspect. Without going into the question of what the right hon. and gallant Gentleman the Secretary of State for War said, or was supposed to have said, I may mention that this has been variously interpreted; and that the hon. Member for Birmingham (Mr. Chamberlain) and the right hon. Member for Bradford (Mr. W. E. Forster), although they may have been mistaken, both understood him, practically speaking, to give a promise that flogging should be abolished. Again, the right hon. Baronet the Member for Tamworth (Sir Robert Peel) said that, for his own part, he felt satisfied that the Government did mean to give way upon this question; and now I see that my hon. and gallant Friend the Member for West Sussex (Sir Walter B. Barttelot), who acts as a sort of Guardian Angel to Her Majesty's Government, and who sometimes chides and chastises the children whom he loves, said that he had listened attentively to the right hon. Baronet the Member for Tamworth, and that there had been an impression conveyed to Members on that side of the House that the Government did intend to give way. Therefore, if any hon. Members were misled, apparently one of them was my hon. and gallant Friend, who said—

> "He was therefore going to put a question plainly and directly to the Government, because they had no right to keep hon. Members in that position. . . . They had a right to ask whether it was the intention of the Government to give way, because, if that were the case, Ministers ought not to call upon them to make statements,

if at the end the whole question was to be sacrificed, and that it was to go forth at the last that the Government were in the wrong, and that the few Members who opposed them were in the right."—[3 *Hansard*, ccxlvii. 1571.]

It was impossible to make a more direct appeal to the Government than that made by the hon. and gallant Gentleman. If the Government had made up their minds that concession had gone to its utmost limits, and that when they had promised the Schedule and a reduction of the number of lashes they could do no more; when they were told by the hon. and gallant Member for West Sussex that the impression had been conveyed to many people, and apparently to him, that the Government were about to give way upon the subject of flogging altogether; when they were called upon distinctly to say whether it was their intention to give way, what was the natural course that one would have expected them to take? Why, that they would have said at once—"This is entirely a mistake; we have no intention at all of giving up flogging; we have our Schedule under consideration, and we shall place it before the House." That would have been a very simple statement to make; but the very next speaker who rose was the right hon. Gentleman the Leader of the House, who said that—"The Government had taken a course known to the House previously, and that they were now prepared to re-consider the whole question." What was the meaning of that statement? It is important to know this, because the statement was made in answer to the appeal of the hon. and gallant Member for West Sussex. Now, the right hon. Gentleman will have an opportunity to-night to tell us what that statement meant, and why it was necessary, after all those concessions had been made days before, to state that the Government was prepared to re-consider the whole question, and whether they meant to do anything more than they had previously announced. These are points upon which I think the House has a right to have some explanation from the right hon. Gentleman. But that is not all. I do not ask whether there has been any decision of the Cabinet to do away with flogging. But I ask the right hon. and gallant Gentleman the Secretary of State for War, who is always frank with the House, whether he will tell us that he never entertained any other opinion upon this subject? We have been told a great deal as to the opinion of military authorities. But although we have heard the opinion of the hon. Member for Berkshire (Mr. Walter), there is another hon. Member for that county (Colonel Loyd Lindsay), who is a military man of great experience and distinction, and besides a Member of the Government, but whose opinion has never been pronounced in this House upon the question of corporal punishment. Now, that being the state with regard to information in which the Government left the House on Saturday week, my noble Friend the Leader of the Opposition has challenged a denial from the Government, which challenge has never been met, as to the nature of the pressure which was put upon them while they were re-considering their opinion upon this subject. I do not say that their decision had then been taken; but I do say, while they were considering, unless report is more than usually false, that there was a very strong attempt on the part, if I may follow the phrase used to-night by the Secretary of State for War, "of an active section" of their Party to induce them to give up flogging. I again ask for a distinct denial as to whether that is the fact or not? The hon. and gallant Gentleman the Member for West Sussex can, no doubt, throw some light upon this point, and if he will get up and say there was no attempt, when the Government were re-considering their opinion, to induce them to give up the punishment of flogging, of course I shall consider his statement conclusive and satisfactory. But there is another fact which has not been denied, and which has to be explained. What was the meaning of the Party meeting of the Conservatives on Monday? The hon. Member for Mid-Lincolnshire must know that there are Caucuses elsewhere than in Birmingham. There are Caucuses in the Foreign Office and elsewhere. The meeting presided over by the Leader of the Government was held—the right hon. Gentleman will contradict me if I am wrong—upon the subject of flogging in the Army. Why was there to be a Party meeting upon this subject. The Government, as they were told now, had made all their concessions days before. They had made the statement which they intended to go forth to the country. On Saturday they said that the whole subject was under re-consideration, and then something happens which makes it necessary to have a Party meeting on Monday. Sir, I think that before we have charges made against us of settling this question upon considerations of Party, we are entitled to have some explanation with regard to that meeting. Of course, there are hon. Gentlemen below the Gangway on both sides of the House, and pressure may be put upon Governments as well as upon Oppositions. I remind the hon. Member for Mid-Lincolnshire that our desire is to know whether the decision at which the Government arrived was founded upon the opinion of the military authorities, or whether it was influenced by the pressure of Party politics?—for, although we may be bound to attach weight, and to pay attention to the opinion and determination of the Government, formed independently and upon their own responsibility and that of their military advisers, I do not know that we can be called upon to pay any attention or any respect whatever to a decision influenced by Party meetings at the Foreign Office. It is this which, in my opinion, has totally changed the situation with regard to this matter. The Government began, first of all, by introducing the punishment of flogging into this Bill exactly as it stood before; they then, under the influence of debate, seeing that great modifications could be made in it, proceeded in the path of those modifications up to certain concessions; but why, having made those concessions, they had again to re-consider the whole question, I know not. But what we had a right to expect, and what the country had a right to expect, was that the Government should be allowed to come to a conclusion upon this matter uninfluenced by Party pressure, and that is what my right hon. Friend the Member for Greenwich (Mr. Gladstone) meant, as I understood him, when he said that the Government had weakened the authority upon which their necessity for the punishment of flogging rests. The noble Lord the President of the Board of Trade completely misunderstood the remarks of my right hon. Friend, when he said that he had asked "What authority is it that you are alleging in favour of this punishment?" My right hon. Friend never said anything of the kind. What he did say was that—"This punishment can only rest upon the strongest authority, and in the conviction of the House, and in the conviction of the country, by the course which you have taken in the progress of this discussion, you have undermined that authority, because you have shown from the first that you were of opinion that it did not rest upon any solid basis." You change from point to point; you exhibit what my hon. Friend called the most lamentable ignorance with reference to the administration of this punishment. The error which existed as to the "cat" is a very material point and tended to the undermining of corporal punishment, because it is a very important thing to know that it is not administered with unnecessary severity. The late First Lord of the Admiralty, having given a pledge to this House that there should be a pattern "cat" kept at the Admiralty, when it turned out that nobody knew where that pattern cat was, all the confidence that rested upon that pledge was very gravely shaken. All these things have gone far to shake the authority upon which this matter rests. Thus, the Secretary of State says—"After this you propose an Amendment fatal to the Bill." What can he mean by that statement? Does it mean that if the majority of the House of Commons declares against flogging, this Government or any other Government would carry on flogging in the Army? Does he mean that the Government would go on without any Bill of this kind at all? The only result of carrying this Resolution would be that corporal punishment would be struck out of the Bill. The hon. Member for Mid-Lincolnshire thinks it is a great thing to say that it is a question between the bullet and the lash. You are all for shooting the soldier. What sense was there in making that assertion, after the alternative offered by my noble Friend, who has offered you the lash as a substitute for the bullet, which you refused? He said, in every case where you shoot you may flog, and you refused it. ["No!"] What is the use of saying "No!" when everybody knows it is the fact? He offered a clause which distinctly declared that flogging should be accepted as a substitute for shooting. If the hon. Member who said "No" did not accept it, the Government, who are much more important, refused to accept flogging as a substitute for shooting, and that meant that they demanded that there should be flogging where there was no shooting. The House and the country will understand it, and it is, therefore, of no use making a statement to the contrary. The hon. Member for Berkshire (Mr. Walter) has to-night fallen into a most extraordinary error. The hon. Member has read to the House a Memorandum of offences, and he was cheered when he said that these are offences for which men must be shot. Everybody knows that that is not the fact. They may be shot for them; but that is a very different thing. What, then, becomes of his point, and the cheers with which it was received, of the officer saying to the man—"My dear fellow, I should like to punish you in some other manner, but I must shoot you?" But, then, there is the case of foreign Armies. We are told that this is the only country which has to deal with barbarous tribes, and that, therefore, we must flog. Are we the only country who has to deal with barbarous tribes? I think France had something to do with barbarous tribes in Algiers; but the French Army has no flogging. Then, there is what is called the most aggressive Army in the world, marching about in Central Asia. The tribes in Khiva and Merv, I think, are pretty barbarous; and yet, according to my information, the Russian Army does not flog. Sir, I say most distinctly that hon. Gentlemen opposite must judge of my conduct with regard to this Bill as they please. I do not regard it as a Party question; but allow me to say that I do regard it as not only a military question, but as a political question, and, as a political question, I have to ask myself with reference to corporal punishment, can it be sustained? and that is what I mean by its being a political question. I do not at all profess to have altered my opinions as to the difficulties of dispensing with this punishment. I feel those difficulties just as strongly now as I did before; but I ask, can you sustain this punishment against the weight of opinion which exists in this House and in the country? Every man must form his own opinions on that subject as best he may; but I think hon. Gentlemen opposite will agree that if this punishment cannot be permanently maintained it is one about which it is not worth while to make a protracted struggle, and that it can only be mischievous to everybody concerned in the matter that it should be the subject of repeated debates in this and future Sessions. I do not think that the Secretary of State for War will believe I take him, at all events, by surprise, when I say that for many weeks I have been of opinion that this punishment could not be permanently maintained. I was extremely unwilling to press the Government, or to place them in a false position with relation to the subject. It has long been my opinion, and I have never concealed it, that this punishment can never be maintained. In that case, is it wise that the contest should be continued with reference to it? There are many subjects on which political Parties on both sides of the House have seen fit to change opinions long cherished and long maintained. That took place with reference to the Catholic Claims, to Free Trade, and to Household Suffrage. Why was it that the Party opposite changed their opinion on these matters? It was because the political situation and the opinion of the country made it absolutely necessary that such change should take place. I do not believe that hon. Gentlemen opposite who supported the Catholic Claims, Free Trade, and Household Suffrage did so because they were any more enamoured of them than they were before their opinion concerning them was changed; but all Parties alike, on whichever side they may sit, must consider questions of this kind with reference to the opinion of the country. Sir, I have come to the conclusion that this question, having been thrown by an act of the Government into the crucible of debate—for it was their act to bring this Bill for military discipline under the revision of the House—has made it necessary that we should come to a final decision with regard to it. The more I have listened to these discussions the more I have become convinced that this punishment can no longer be ultimately and permanently maintained, and it is for that reason I shall give my vote in favour of the Motion of my noble Friend.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have waited with some curiosity to hear the speech which we might have expected from the hon. and learned Gentleman who has just sat down, because he has occupied a very peculiar position with reference to this measure. I think it is due from the Government and from the House that we should take the earliest opportunity of tendering to the hon. and learned Gentleman our thanks for the loyal assistance which he has given to the Government and to the House in the conduct of this Bill. He took a very useful and active part in the discussion in Committee upstairs, over which, I think, he presided, and which was to a great extent the parent of this Bill; and since the Bill was introduced in the form decided upon by Her Majesty's Government, the hon. and learned Gentleman has throughout the whole of the discussions which have taken place with regard to it given an intelligent and discriminating, but most valuable, support to the Government in the conduct of the measure. I think everybody must admit that this Bill, which has been under discussion for the greater part of this Session, which has been before us in Committee no less than 21 times, has at the end of the Session come out a very considerable and important measure. Everybody must admit that during the discussions upon this measure we have had many and fair opportunities for the consideration of great principles such as this of corporal punishment. Everybody must feel that the matter has been brought forward fully, repeatedly, and I might almost say pertinaciously, by hon. Members who took an interest in it. And over and over again the principles, the details, and their application, have been considered, discussed, and decided upon by large majorities in the House; and the Government throughout these discussions have, I think, shown themselves ready to entertain in the fairest and most candid spirit the observations and the arguments which have been addressed to them from different parts of the House. We have endeavoured in the most sincere manner to bring about a settlement which might be of a fair, of a durable, and generally acceptable character. But we have felt that it has been a sad necessity in the conduct of military discipline that we should, from time to time, have recourse to severe repressive punishments. We have felt, and it has been the firm belief which our Predecessors have always entertained, that, however disagreeable that necessity might be, it was one which it was impossible to escape from if discipline and the credit of the Army was to be maintained. I say nothing about other countries. Other countries have their systems, which differ from ours in a great many respects, such as have been pointed out. We have our system and our own difficulties, and we have to consider in what manner we have to meet those difficulties. It may be that in other countries there are punishments exactly equal to that of which we have heard so much. It may be that in those countries the situation and conditions of the Armies are different, and it may be that there are amongst them irregular forms of chastisement, which may, to a certain extent, supply in a very unsatisfactory way, I think, a regulated and legal system. We have been considering this question with reference to the circumstances of the British Army, with an earnest desire, while retaining that amount of punishment which is necessary for its discipline, to do away with the objectionable features of former times, which I take to be two—namely, excess in amount, and irregularity in application. Throughout these discussions we have endeavoured to come to some arrangements by which the punishment of flogging may be limited to the smallest effective amount, and by which, when it is administered, it may be given only under strict regulations and for well-defined offences. But after these have been so discussed, and after we have spent days and nights in the elaboration of this Bill, at the last moment, when there is not one single day to spare, when at the last moment this work has been brought to the last stage of completion, and when such important steps have been taken to put the Army on a better footing—at that moment comes forward the noble Lord the Leader of the Opposition to put upon the Table of the House, to challenge the decision of the House, upon an Amendment which, whatever you may say as to its possible effect, is, at least, in form, a direct attack upon the Bill. We are told that the Bill will not be destroyed if corporal punishment be taken out of it, and I will not argue the point at present. That, however, is not the matter which we are called upon to decide. We are called upon to meet an Amendment of precisely that character which has over and over again been adopted by an Opposition when it has intended to destroy a measure or a Government. I need not remind hon. Members of old standing in this House of the many occasions on which, when the question was the second reading of some important Bill, a Resolution has been moved declaring that no Bill will be satisfactory which does not do something—this, that, or the other—and it has always been understood that such a Resolution is fatal to a Bill. Nobody can doubt that such a step taken by so important a Member of the House as the Leader of the Opposition is—one which necessarily challenges and excites very serious attention, and all the more so, when we find that it is apparently inconsistent with the views on which the noble Lord and his Colleagues have acted continuously, both in Office and in Opposition, for many years, and to which they have, until within a few weeks ago, given effect. If that is so, we are surprised, and look for some explanation. I must say that, after the explanation of the noble Lord, and after that of the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), I felt we were left most completely in the dark; but I did think that if we were to hear a speech from the hon. and learned Member for Oxford (Sir William Harcourt), then, at least, we might look for a clear and comprehensive statement of the grounds upon which this policy rested. I own I am fairly disappointed. We are treated to discursive observations upon the conduct of the Government in this matter, and upon the conduct of the Government in that matter. We are carried back to the days of Catholic Emancipation, and we have had discussions on Party and Party discipline, all of which are absolutely outside the point. Hon. Gentlemen think they have got some very effective point against the Government, and, under cover of that, propose a most extraordinary and most important Resolution. They say, in effect—"Now, then, if you think that the Government have behaved badly, pass our Resolution." This is very much like the manœuvres of a conjuror going to do a trick, and who, while preparing to take a handkerchief out of your pocket, calls your attention to something in another part of the room, and then takes the handkerchief when you do not perceive it. We can hardly perceive the particular trick that is about to be performed by the Motion which we are asked to agree to. We are told that this is not a measure dictated by Party motives. Of course, when we are told that, we are ready to accept the disclaimer; but in doing so we are, I must say, left more in the dark than ever, because, if it were dictated by Party motives, we could understand it, but if not, we must confess that we are at a loss to know to what it may be attributed. The noble Lord was very anxious, indeed, to clear himself from the suspicion that he had decided on moving his Resolution because of the disagreement between himself and his Friends and the rest of the Liberal Party. He said—"I will give you chronological proof that I was not animated by any Party motive of that kind;" and the proof was that he had come to the conclusion to do something in this matter because of the outbreak that took place in the Liberal Party. He tells us that he came to the conclusion to act in the matter on Saturday week, and that the outbreak in the Liberal Party did not occur till the Monday following. That may be; but I think it is news to many of us to hear that the Liberal Party were in such a very harmonious state, even up to Saturday week, and the chronological proof seems to me, after all, to be of no great force, for the decision of the noble Lord may be due to something of a desire to conciliate hon. Gentlemen. But what appears to me to be the most extraordinary part of these proceedings is that in the arguments by which the noble Lord and the right hon. Gentleman the Member for Greenwich support the Resolution, they argue in favour of a course wholly different from that which they have laid before us. They say in their Resolution that they condemn the Bill because it provides for the permanent retention of corporal punishment for military offences; but they go on to tell us that what they are really proposing is, not to do away with corporal punishment altogether, but to offer an alternative for it. If they wished us to substitute corporal punishment for capital punishment, there is a good deal to be said for the change, and all the arguments they use are in that direction. But why in the world do they not come forward and make that proposition to us? Why, I would ask, do they not tell us in the Resolution, which they ask the House to adopt, what it is they really mean? Is it that they mean that corporal punishment is to be substituted for capital punishment—if so, we should know what the Resolution means. Or do they lay stress upon the permanent retention of the punishment? The fact is, that the Resolution has been so framed as to catch the greatest number of votes. By this means they have placed their supporters, especially their military authorities, in a most extraordinary position; for they get up, one after another, and argue very strongly as to the necessity of maintaining discipline and having punishments available, and they go on to say that it is almost impossible to keep order in the field without the power of inflicting corporal punishment, while they still announce it to be their intention to vote for this Amendment. The only reason I have heard given for that course is this —"You have reduced the number of lashes from 50 to 25; and, therefore, you have made the punishment worthless, and as you have made it worthless you may as well abolish flogging altogether." Well, I must say, I think we have a right to complain of that; because, when the proposal was made that the number of lashes should be reduced, we were assured that 25 would be quite adequate for all purposes of punishment. It was said by gentlemen of the highest authority that 25 lashes were quite sufficient for discipline, unless we wanted to inflict torture. Perhaps we are open to the charge that was made by my hon. Friend the Member for Gloucestershire (Mr. J. R. Yorke), in which he said—"You have brought all these misfortunes upon yourselves by being too ready to make concessions, and by being too willing to meet the House in the spirit in which you have done." We have been told that we have rendered the punishment worthless; and then we have these curious arguments. We are told—"It is true that in former years we always supported corporal punishment, and that until recently we were ready still to support the retention of corporal punishment; but we did so because we rested upon authority. Recently, however, you have destroyed our trust in authority, and we have had to look into the whole question for ourselves, and we have taken the step which we have done." But it does appear to me that the question naturally arises, why have you never considered this for yourselves before? It is all very well to speak of high military authority, and it is perfectly true that military authority must be respected, and must have great weight in the decision of this question. It is new, however, for me to suppose that the responsible Ministers of the Crown are not to examine questions of this sort for themselves, and are not, with the advice and assistance of the military authorities, whom they consult, to consider these questions, and to decide upon them and recommend them to Parliament in the way in which, after full consideration, they think it is right they should be recommended. But now we are told that it was in consequence of what was said in this House on Saturday week that the whole thing changed, and that a new situation was created. Why, what happened on Saturday week? The hon. and learned Gentleman the Member for Oxford said—"I think that, previous to Saturday week, the Government had gone the full length of all that it was prepared to do, and had agreed to reduce the number of lashes to 25, and had promised that offences for which flogging was to be administered should be placed in a Schedule." "But," he said, "an end had been put to that state of affairs by the Government stating that it was going to consider the whole question." He said—"We fell from you because we thought you had entirely changed your position." But does the hon. and learned Gentleman think that because we promised to put those offences in a Schedule that was to be the "be all and end all" of the matter? Does he not know that it was only an adjournment of the difficulty connected with the settling of the Schedule? The hon. and learned Gentleman knows perfectly well, if any man does, that the framing of that Schedule had been under the careful consideration of the Government, with the assistance of the military authorities, and he knows perfectly the difficulties that we found in attempting to enumerate the particular offences that were to be put in that Schedule. He was, unfortunately, unable to be present here on Saturday; but if he had been, he would have heard what was said by my right hon. and gallant Friend — namely, that he had found great difficulty in the construction of the Schedule, and that when he was prepared he would make a statement upon the whole subject of flogging, which he thought would be satisfactory to the House. That was the remark that was made by my right hon. and gallant Friend, and was perfectly consistent with what has been done since. We stated that we were prepared to re-consider the whole Schedule, and to place it upon an intelligible and firm basis, and we have done so by the adoption of the principle that only offences punishable by death shall be liable to the punishment of flogging. We are now told that by making that statement we misled the House. I am very sorry if we did mislead the House; but I do not believe we did. The noble Lord, speaking a little while ago, and referring to a speech made by a noble Friend of mine out of this House, said that it was remarkable that the criticisms of that noble Lord upon the conduct of the Opposition did not come from those who saw with their own eyes what the conduct of the Opposition was, but from one who only heard it from the outside. I would appeal from the testimony of those who did not see what took place on that occasion to the testimony of some who did. The noble Lord was not in his place at the time those statements were made; but the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) was in his place.

The Marquess of HARTINGTON said, he heard the right hon. Gentleman.

The CHANCELLOR of the EXCHEQUER: I am speaking of a later period. At the time my right hon. Friend made his original statement, the right hon. Gentleman the Member for Bradford was in his place; and he immediately rose and declared that, for his part, he was prepared to advocate the total abolition of flogging. On the following Monday, when the question arose on the part of some hon. Members as to whether the statement which was made on Monday evening on behalf of the Government was in accordance with what was said on Saturday, or involved any breach of a promise on the part of the Government, the right hon. Gentleman the Member for Bradford said—"No, certainly, it did not involve any breach. The Government did not pledge themselves to this, and, as a proof of that, I was not satisfied with what they did say, though I hoped that they would end by deciding in favour of the abolition of flogging." I remember perfectly well how several hon. Gentlemen, on both sides of the House, complained of the statements made by my right hon. and gallant Friend and myself as being vague and unsatisfactory. The fact is, they tried to get from us what we were not prepared to say; they tried to get from us, when we said we were going to consider the subject, the result of what our consideration was going to be. Because we tried to answer the questions which were put to us, and which we were at perfect liberty to do, they said that our statements were very unsatisfactory, and rumours and reports were issued as to the meaning of those statements. I will say that a more extraordinary march of rumour I never witnessed in the whole course of my life than that which took place in the course of the afternoon. One felt that rumour was verifying the character given to her by Virgil, that she was rising from the ground, and marching with her head continually going higher and higher, and at last losing herself among the clouds. There were a great deal of very cloudy sentiments and curious reports going about at that time; but there really was no foundation for them at all. There was no justification whatever for them. Whether our language was or was not careful, there was no pledge given on the part of the Government—there was no pledge of any sort or kind given on the part of the Government beyond this, that we would consider the question, and make a statement. We did consider the question, and made a statement, and we redeemed our pledge; and I maintain that the conduct of the Government in the matter was that which it was our duty to pursue. It is all very well to say that we have not been guided by the opinion of military authorities in this matter. We decline to shelter ourselves behind the responsibility of anyone else. We did not take the view which hon. and right hon. Gentlemen opposite seemed to think we should take—namely, that we can be dispensed from the duty of considering this question. But if it is any consolation to noble Lords and hon. Gentlemen opposite to know it, I may tell them that we were, in the consideration of the question, in constant communication with the highest military authorities—with the proper military authorities, not with all the junior officers of the Army, who are now set up as the persons whom we ought to consult. We consulted those who are in a responsible position, and have to answer for the discipline of the Army; and it was after such consultation, and after being in perfect possession of their views, and upon our own responsibility and our own consideration, that Her Majesty's Government arrived at the decision which it afterwards announced to the House. We have been told that the course we took was one which had been pressed upon us by a Party meeting; but I do not think that it is necessary to answer that observation. We have been told that there are Caucuses existing here, and possibly that is so. At any rate, it is quite possible for the Liberal Party to meet without attracting much attention. But, so far as we are concerned, we are, unfortunately, obliged to occupy a large space in the public eye when we meet. If the noble Lord is of opinion that the decision arrived at and announced by the Government was not a decision freely taken by it, upon the result of its own convictions, or that it was a conviction forced upon it by any other consideration than its own idea, and what was right and proper for the Public Service, then I say that the noble Lord is entirely wrong. The question which the House has to consider, and from which it must not allow itself to be led astray by suggestions of Party recrimination, or by tales of Party meetings, or of anything else, is the Resolution proposed by the noble Lord. It is all very well to say that such a Resolution, if accepted, is not fatal to the Bill, for you know perfectly well that that is the effect of your Resolution. We say that the Resolution is brought forward under circumstances of pressure, and we say that the arguments which have been brought forward in support of it do not support the proposition involved in it. We say that the arguments of the hon. and learned Member for Stockport (Mr. Hopwood) and of the hon. Member for Rochester (Mr. Otway) are perfectly consistent, and they were only right in supporting such a proposition as that involved in the Resolution. But the arguments of the noble Lord, and of hon. Gentlemen who sit behind him, are in favour of a wholly different proposition, which is not before us, and which has never been before us. This Resolution is, in fact, brought before us as a sort of stalking-horse to mask the retreat of the Opposition from a proposal which, if made at all, should have been made the preamble of a proposal which nobody understood. At all events, the arguments had been arguments rather in support of that proposition than of the direct attack which has now been made. I call upon the House, if they value this Bill, and if they desire to see the great Code, which has been now, at so much labour, brought to its present shape—if they desire to see it carried into law—I hope they will support the Government and reject the Amendment.

Question put.

The House *divided:* — Ayes 289; Noes 183: Majority 106.

AYES.

Agnew, R. V.
Alexander, Colonel C.
Allcroft, J. D.
Allsopp, C.
Anstruther, Sir W.
Arbuthnot, Lt.-Col. G.
Arkwright, A. P.
Ashbury, J. L.
Assheton, R.
Astley, Sir J. D.
Bagge, Sir W.
Bailey, Sir J. R.
Balfour, A. J.
Barne, F. St. J. N.
Barrington, Viscount
Barttelot, Sir W. B.
Bates, E.
Beach, rt. hn. Sir M. H.
Beach, W. W. B.
Bective, Earl of
Benett-Stanford, V. F.
Bentinck, rt. hn. G. C.
Beresford, Lord C.
Beresford, G. De la P.
Beresford, Colonel M.
Birkbeck, E.
Birley, H.
Blackburne, Col. J. I.
Boord, T. W.
Bourke, hon. R.
Bourne, Colonel J.
Bousfield, Col. N. G. P.
Bowen, J. B.
Bowyer, Sir G.
Brassey, H. A.
Brise, Colonel R.
Broadley, W. H. H.
Brooks, W. C.
Brymer, W. E.
Bulwer, J. R.
Burghley, Lord
Burrell, Sir W. W.
Buxton, Sir R. J.
Cameron, D.
Campbell, C.
Campbell, Lord C.
Cartwright, F.
Castlereagh, Viscount
Cecil, Lord E. H. B. G.
Chaplin, Colonel E.
Chaplin, H.
Charley, W. T.
Christie, W. L.
Clive, Col. hon. G. W.
Clowes, S. W.
Cole, Col. hon. H. A.
Coope, O. E.
Cordes, T.
Corry, hon. H. W. L.
Corry, J. P.
Cotton, W. J. R.
Crichton, Viscount
Cross, rt. hon. R. A.
Cubitt, G.
Cuninghame, Sir W.
Cust, H. C.
Dalkeith, Earl of
Dalrymple, C.
Davenport, W. B.
Deedes, W.
Denison, C. B.
Denison, W. B.
Denison, W. E.
Digby, Col. hon. E.
Douglas, Sir G.
Dyott, Colonel R.
Eaton, H. W.
Edmonstone, Admiral Sir W.
Egerton, Sir P. G.
Egerton, hon. W.
Elcho, Lord
Elliot, Sir G.
Elliot, G. W.

Elphinstone, Sir J. D. H.
Estcourt, G. S.
Ewart, W.
Fellowes, E.
Fielden, J.
Finch, G. H.
Fitzwilliam, hon. C. W. W.
Floyer, J.
Forester, C. T. W.
Forsyth, W.
Foster, W. H.
Fremantle, hon. T. F.
Freshfield, C. K.
Galway, Viscount
Gardner, J. T. Agg-
Gardner, R. Richardson-
Garnier, J. C.
Gathorne-Hardy, hn. S.
Gibson, rt. hon. E.
Giffard, Sir H. S.
Giles, A.
Goddard, A. L.
Goldney, G.
Gordon, W.
Gore-Langton, W. S.
Gorst, J. E.
Grantham, W.
Greenall, Sir G.
Gregory, G. B.
Hall, A. W.
Halsey, T. F.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, rt. hn. Lord G.
Hamilton, Marquess of
Hamilton, hon. R. B.
Hamond, C. F.
Hanbury, R. W.
Harcourt, E. W.
Hardcastle, E.
Harvey, Sir R. B.
Hay, rt. hn. Sir J. C. D.
Heath, R.
Herbert, hon. S.
Hermon, E.
Hervey, Lord F.
Hick, J.
Hicks, E.
Hildyard, T. B. T.
Hill, A. S.
Hinchingbrook, Visc.
Holford, J. P. G.
Holker, Sir J.
Holland, Sir H. T.
Holmesdale, Viscount
Holt, J. M.
Home, Captain D. M.
Hood, Capt. hn. A. W. A. N.
Hope, A. J. B. B.
Hubbard, E.
Isaac, S.
Johnson, J. G.
Johnstone, H.
Johnstone, Sir F.
Jolliffe, hon. S.
Jones, J.
Kavanagh, A. MacM.
Kennard, Col. E. H.
Kennaway, Sir J. H.
King-Harman, E. R.
Kingscote, Colonel
Knight, F. W.
Knightley, Sir R.
Knowles, T.
Lacon, Sir E. H. K.
Lawrence, Sir T.
Learmonth, A.
Lechmere, Sir E. A. H.
Lee, Major V.
Legard, Sir C.
Legh, W. J.
Leighton, Sir B.
Leighton, S.
Leslie, Sir J.
Lewis, C. E.
Lewis, O.
Lewisham, Viscount
Lindsay, Colonel R. L.
Lindsay, Lord
Lloyd, S.
Lloyd, T. E.
Lopes, Sir M.
Lowther, hon. W.
Lowther rt. hn. J.
Macartney, J. W. E.
M'Garel-Hogg, Sir J.
Makins, Colonel
Mandeville, Viscount
Manners, rt. hon. Lord J.
March, Earl of
Marten, A. G.
Master, T. W. C.
Merewether, C. G.
Miles, Sir P. J. W.
Mills, Sir C. H.
Monckton, F.
Montgomerie, R.
Montgomery, Sir G. G.
Moore, S.
Moray, Col. H. D.
Morgan, hon. F.
Mowbray, rt. hon. J. R.
Muncaster, Lord
Naghten, Lt.-Col. A. R.
Newdegate, C. N.
Newport, Viscount
Noel, rt. hon. G. J.
North, Colonel J. S.
Northcote, rt. hn. Sir S. H.
O'Gorman, P.
O'Neill, hon. E.
Onslow, D.
Paget, R. H.
Palk, Sir L.
Parker, Lt.-Col. W.
Peek, Sir H.
Pell, A.
Pemberton, E. L.
Pennant, hon. G.
Percy, Earl
Phipps, P.
Plunket, hon. D. R.
Plunkett, hon. R.
Polhill-Turner, Capt. F.
Praed, C. T.
Praed, H. B.
Price, Captain G. E.
Puleston, J. H.
Raikes, H. C.
Repton, G. W.
Ridley, Sir M. W.
Ripley, H. W.
Rodwell, B. B. H.
Round, J.
Russell, Sir C.
Ryder, G. R.
Salt, T.
Sandon, Viscount
Sclater-Booth, rt. hn. G.
Scott, Lord H.
Scott, M. D.
Selwin-Ibbetson, Sir H. J.
Severne, J. E.
Shirley, S. E.
Shute, General C. C.
Sidebottom, T. H.
Simonds, W. B.
Smith, A.
Smith, S. G.
Smith, rt. hon. W. H.
Smollett, P. B.
Spinks, Serjeant F. L.
Stanhope, hon. E.
Stanhope, W. T. W. S.
Stanley, rt. hn. Col. F.
Starkey, L. R.
Starkie, J. P. C.
Steere, L.
Sykes, C.
Talbot, C. R. M.
Talbot, J. G.
Tavistock, Marq. of
Taylor, rt. hn. Col. T. E.
Tennant, R.
Thornhill, T.
Thwaites, D.
Thynne, Lord H. F.
Tollemache, hon. W. F.
Torr, J.
Tracy, hon. F. S. A. Hanbury-
Tremayne, Lt.-Col. A.
Tremayne, J.
Turnor, E.
Verner, E. W.
Wait, W. K.
Walker, O. O.
Walker, T. E.
Wallace, Sir R.
Walpole, rt. hon. S.
Walsh, hon. A.
Warburton, P. E.
Watney, J.
Watson, rt. hon. W.
Welby-Gregory, Sir W.
Wellesley, Colonel H.
Wethered, T. O.
Wheelhouse, W. S. J.
Wilmot, Sir H.
Wilmot, Sir J. E.
Wolff, Sir H. D.
Wroughton, P.
Wyndham, hon. P.
Wynn, C. W. W.
Yarmouth, Earl of
Yeaman, J.
Yorke, J. R.

TELLERS.

Dyke, Sir W. H.
Winn, R.

NOES.

Allen, W. S.
Amory, Sir J. H.
Anderson, G.
Ashley, hon. E. M.
Backhouse, E.
Barclay, A. C.
Barclay, J. W.
Barran, J.
Bass, A.
Bass, H.
Baxter, rt. hon. W. E.
Beaumont, Colonel F.
Biggar, J. G.
Blake, T.
Brassey, T.
Briggs, W. E.
Bright, Jacob
Bright, rt. hon. J.
Bristowe, S. B.
Brocklehurst, W. C.
Brogden, A.
Brown, A. H.
Brown, J. C.
Browne, G. E.
Bruce, Lord C.
Burt, T.
Callan, P.
Cameron, C.
Campbell, Sir G.
Campbell-Bannerman, H.
Cave, T.
Cavendish, Lord F. C.
Chadwick, D.
Chamberlain, J.
Chambers, Sir T.
Cholmeley, Sir H.
Clarke, J. C.
Clifford, C. C.
Collins, E.
Colthurst, Colonel
Courtauld, G.
Courtney, L. H.
Cowan, J.
Cowen, J.
Davies, R.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodds, J.
Dodson, rt. hon. J. G.
Duff, M. E. G.
Earp, T.
Edwards, H.
Errington, G.
Evans, T. W.
Fawcett, H.
Ferguson, R.
Fitzmaurice, Lord E.
Fletcher, W.
Forster, Sir C.
Forster, rt. hon. W. E.
Fry, L.
Gabbett, D. F.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir J.
Gourley, E. T.
Gower, hon. E. F. L.

Grant, A.
Gray, E. D.
Grosvenor, Lord R.
Hankey, T.
Harcourt, Sir W. V.
Harrison, C.
Harrison, J. F.
Hartington, Marq. of
Havelock, Sir H.
Henry, M.
Hibbert, J. T.
Hill, T. R.
Holms, J.
Hopwood, C. H.
Howard, G. J.
Hughes, W. B.
Hutchinson, J. D.
Ingram, W. J.
Jackson, Sir H. M.
James, Sir H.
Jenkins, D. J.
Jenkins, E.
Johnstone, Sir H.
Kay-Shuttleworth, Sir U.
Knatchbull-Hugessen, rt. hon. E.
Laing, S.
Lawson, Sir W.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Leith, J. F.
Lloyd, M.
Lubbock, Sir J.
Lusk, Sir A.
M'Carthy, J.
Macdonald, A.
Macduff, Viscount
Mackintosh, C. F.
M'Arthur, A.
M'Arthur, W.
M'Clure, Sir T.
M'Kenna, Sir J. N.
M'Lagan, P.
M'Laren, D.
Maitland, J.
Maitland, W. F.
Marling, S. S.
Massey, rt. hon. W. N.
Middleton, Sir A. E.
Milbank, F. A.
Monk, C. J.
Morgan, G. O.
Morley, S.
Mundella, A. J.
Mure, Colonel W.
Murphy, N. D.
Noel, E.
Nolan, Major J. P.
O'Beirne, Major F.
O'Brien, Sir P.
O'Clery, K.
O'Conor Don, The
O'Donnell, F. H.
O'Donoghue, The
O'Gorman Mahon, The
O'Shaughnessy, R.
O'Sullivan, W. H.
Otway, A. J.
Palmer, C. M.
Palmer, G.
Parker, C. S.
Parnell, C. S.
Pender, J.
Pennington, F.
Perkins, Sir F.
Philips, R. N.
Playfair, rt. hon. L.
Potter, T. B.
Powell, W.
Power, J. O'C.
Price, W. E.
Ralli, P.
Ramsay, J.
Rathbone, W.
Reed, E. J.
Richard, H.
Roberts, J.
Russell, Lord A.
Rylands, P.
Samuda, J. D'A.
Samuelson, B.
Samuelson, H.
Shaw, W.
Sheil, E.
Sheridan, H. B.
Simon, Serjeant J.
Sinclair, Sir J. G. T.
Smith, E.
Stewart, J.
Stuart, Col. J. F. D. C.
Sullivan, A. M.
Swanston, A.
Tennant, C.
Torrens, W. T. M'C.
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Waterlow, Sir S. H.
Wedderburn, Sir D.
Whitbread, S.
Whitwell, J.
Williams, B. T.
Williams, W.
Wilson, C.
Wilson, I.
Wilson, Sir M.
Young, A. W.

TELLERS.
Adam, rt. hn. W. P.
Kensington, Lord

Main Question put, and *agreed to.*

Bill *considered.*

Amendment proposed,

In page 2, line 19, after the word "enemy," to insert the words "in such manner as to show cowardice."—(*Colonel Stanley.*)

Question proposed, "That those words be there inserted."

Mr. PARNELL that he had an Amendment to move on Clause 3.

Mr. SPEAKER: I must point out to the hon. Member that I have already put a Question on Clause 4.

Mr. PARNELL: It was quite impossible to hear you, Sir, put the Question. ["Order, order!"]

Mr. SPEAKER: I must point out to the hon. Member that I have already put the Question on Clause 4, "That these words be here inserted," and it is impossible, as the hon. Member knows, for the House to go back upon former clauses.

Mr. PARNELL moved the adjournment of the debate. The Chancellor of the Exchequer was good enough to say that he would give an opportunity, in case of the debate on flogging continuing to a late hour in the evening, to proceed with the other Amendments.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Parnell.*)

The CHANCELLOR of the EXCHEQUER said, the request was quite reasonable, and perfectly in accordance with the understanding. He would not press the House to go on then; but he did hope at the Morning Sitting of the next day they would be able to get through.

Motion *agreed to.*

Debate *adjourned* till *To-morrow,* at Two of the clock.

BANKRUPTCY LAW AMENDMENT BILL [*Lords*].—[Bill 114.]

(*Mr. Attorney General.*)

SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Second Reading.

The CHANCELLOR of the EXCHEQUER was anxious to make an appeal to the hon. Member for Meath, and to ask him whether he would not take off the blocking Motion which stood against this Bill on the second reading. The measure was of great importance to the commercial community; and he did hope, therefore, that the hon. Member would take off the Motion which prevented its consideration.

MR. PARNELL said, his only object in making the Motion he had done was that he saw that a very dangerous precedent was about to be established by the Chancellor of the Exchequer. He had no wish to interfere in any way with the progress of the Bill, and he certainly would not intrude on the debates if the Bill were allowed to go into Committee in the ordinary way. He would suggest to the Chancellor of the Exchequer that it was rather too late in the Session to try the experiment which he had proposed of submitting this Bill to a Grand Committee; but that it would be far better that it should go through the Committee in the ordinary way. It was only because he felt that a very dangerous precedent was about to be set up as regarded minorities in that House that he gave Notice of the Motion which stood in his name; and had the idea been opposed, he certainly would have found it necessary subsequently to have opposed the appointment of the Committee.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) said, no doubt, it was very important that this Bill should be read a second time. The suggestion that it should be referred to a Grand Committee did not come from the Government, but from many quarters of the House, and the Government were, at the time, disposed to consider it, and to see whether that was a course which they might not entertain. But, for himself, he thought, perhaps, the better course would be to allow the Bill to go before a Committee of the Whole House in the ordinary way. For his own part, he thought it was not very likely there would be any big opposition to the Bill, because a great part of it was merely re-enacting an old law. Perhaps, under those circumstances, the best course would be to adopt the suggestion of the hon. and learned Baronet the Member for Coventry (Sir Henry Jackson). That suggestion was that the portion of the Bill which re-enacted the law of 1869 should be excised, and that the Bill should be turned into a measure merely introducing certain Amendments into the old law. That was a suggestion coming from an hon. and learned Member—all of whose suggestions were valuable—which was well worthy of consideration. For his part, he thought the best way would be to take the Bill in the ordinary way.

MR. JACOB BRIGHT said, it was quite a mistake for the Chancellor of the Exchequer to suppose that there was at all an unanimous feeling out-of-doors that this Bill should be proceeded with this Session. He had received a telegram that day from a very important Association in Manchester on this subject; and as expressing the opinion and feeling of a large portion of the commercial community of Manchester he should like to be allowed to read it—

> "The Credit Association of Manchester, representing a large body of merchants, bankers, and wholesale traders, vehemently protests against the passing of any new Bankruptcy Bill this Session, the time being insufficient for discussing the clauses *seriatim* and hearing the evidence of commercial witnesses."

He did not know what the opinion of other towns might be; but this, at any rate, was a statement from a very important body with strong interests in this Bill. In his opinion, it would be a great mistake to proceed with it.

MR. MORGAN LLOYD quite agreed that the Law of Bankruptcy, at present, was in a state——

MR. SPEAKER: I must point out to the hon. and learned Gentleman that it is not regular to discuss the Bill at this stage. The only Question before the House is that the second reading be taken to-day at 2 o'clock.

MR. MORGAN LLOYD said, he was only about to express a hope that the Attorney General would not carry out the proposition he had just suggested, and divide the Bill into two. He trusted that the Bill would either be discussed in its present shape, or put off for the Session.

MR. RYLANDS thought, as a matter of procedure, it was very inconvenient, after the hon. Member for Meath had put this stopper on the Bill, that now, without Notice, it should be read a second time at that late hour in the evening, when there was no expectation of taking the second reading that night.

Adjourned Debate on Second Reading *further adjourned* till *To-morrow*, at Two of the clock.

SUPREME COURT OF JUDICATURE ACTS AMENDMENT BILL. [*Lords*].

(*Mr. Attorney General.*)

[BILL 134.] COMMITTEE.

[*Progress 9th June.*]

Bill *considered* in Committee.

(In the Committee.)

New Clause (Expenses of references held out of London) *brought up*, and read the first time.

Question proposed, "That the Clause be added to the Bill."

MR. DILLWYN moved the omission of the clause. Formerly, before the appointment of official referees, the work was done by arbitrators, who gave a patient hearing to the case before they came to a final decision. However, dissatisfaction was expressed at the great expense and the great delays through frequent adjournments, and to remedy this the official referees were appointed, and it was hoped that they would overcome the difficulty. That expectation was disappointed, as it was found their fees were very heavy, which prevented people from going to them, and the decisions were not final. After an official referee had given his decision, his judgment could be appealed against and carried to another court. As a consequence, business did not go to them in the way expected. To remedy this the fees were materially reduced about a year ago, and there was a prospect, at last, of the official referees getting more work for their courts than at present; but this clause provided that any expenses incurred by the referees in the discharge of their duties should not be paid by the Treasury out of monies provided by Parliament; but that the costs of the referees sitting elsewhere than in London, the travelling and other expenses incurred in and about the reference by reason of the sitting being held out of London, including the accommodation for sittings, should be defrayed and paid for by the parties. Now, he thought their object should be to reduce, as far as possible, the expenses of all litigation; and where a reference was forced upon litigants by Judges the costs should be borne by the State. The litigants had now no choice in the matter. They went before a Judge, expecting their cases to be tried, and he declined to try the case, and sent it to a reference. Under such circumstances, the expenses of the reference should be paid by the State, just in the same way that other expenses were; and he could see no more justice in saddling litigants with these costs than in making them pay the travelling expenses of the Judges at the Assizes. The result was, to refuse justice to a poor man who might have scraped together enough money to go to trial before a Judge, and would not be able to carry on subsequent litigation before a referee. He moved that the clause be struck out.

THE ATTORNEY GENERAL (Sir JOHN HOLKER) replied, that the fees payable to referees were very small indeed. The amount payable to the Treasury for the services of the official referee for each reference, irrespective of length, was the sum of five guineas. That was a very moderate sum, infinitely less than the amount for which the services of an ordinary arbitrator could be obtained, while there was another advantage in employing the referees—that they sat *de die in diem* until the matter was disposed of. Therefore, if the parties preferred that the referee should go down to Liverpool, or anywhere else, to try a case, it was only fair that they should pay the travelling expenses, and so on, of the referees in going there. He thought the clause a very fair one, and should oppose its omission.

MR. B. WILLIAMS said, his hon. Friend the Member for Swansea (Mr. Dillwyn) had confounded, to some extent, the functions of a referee and an arbitrator. Under the old Common Law Procedure Act, the arbitrator was a Judge appointed by the parties. It was a private affair, and he merely did the work which the parties thought he could do better than a Judge or a jury. But when the official referees were appointed, they were appointed to do not the work which the parties privately agreed could be done by arbitrators better than a Judge, but to do the work of the Judges themselves. Under the old law, except for matters of account between parties, there was no power at all to compel a person to resort to arbitration. The Judicature Act had changed all that; and it very often happened now, if the Judge thought the matter was at all complicated, that he threw up his pen, leant back in his chair, and declared that he could not try the issue, but it must go before an official referee. Then, of course, as his hon. Friend had said, it became a question between the rich man and the poor man. By this clause, parties were compelled not only to pay the travelling expenses of the referee, but he believed, also, the expenses of staying in the town where reference was held, which did not strike him as very fair. Referees were, practically, the same as Judges, and the parties who went before them ought to be treated in exactly the same manner. One of the great necessities of the present time, and the great aim of all law reformers, was, and ought to be, to cheapen procedure in law; while, on the contrary, all modern reforms seemed to have gone in exactly the opposite direction.

Question put.

The Committee *divided*:—Ayes 57; Noes 29: Majority 28. — (Div. List, No. 173.)

Clause *agreed to.*

Mr. CHARLEY said, a great anomaly had been introduced, by reason of which solicitors had a right of audience as counsel in the Court of Bankruptcy. The Bill, as it now stood, would intensify that anomaly by giving solicitors a right of audience as counsel in the Supreme Court of Judicature. It might be said that it would only give them a right of audience in the particular division to which the Court of Bankruptcy was attached; but he could not obtain from his hon. and learned Friend (the Attorney General) an assurance that this clause would not also give solicitors a right of audience in the Court of Appeal, and even before the House of Lords, in bankruptcy matters. The 70th section said that they should have a right of audience in any Bankruptcy Court; and the Court of Appeal, and even the House of Lords, he contended, would be Bankruptcy Courts for that purpose. The duties of solicitors and barristers were quite distinct. Solicitors had to prepare and to sift evidence, to lay the case before the barrister and to instruct him in the cause; while the duty of the barrister was to appear as an advocate in Court. If it was thought right that the office of solicitor and barrister should be amalgamated, it surely should not be done in this indirect way, and certainly the point ought not to be left in doubt. He would, therefore, move the following clause:—

(Repeal of section seventy of "The Bankruptcy Act, 1869," and substitution of new provisions.)

"Section seventy of 'The Bankruptcy Act, 1869,' is hereby repealed, except as to anything heretofore duly done thereunder; and, instead thereof, Be it Enacted, That every solicitor of the Supreme Court shall be and may practise as a solicitor of the London Court of Bankruptcy after its union and consolidation with the Supreme Court of Judicature under this Act; and if any person not being such solicitor practises as a solicitor of the London Court of Bankruptcy he shall be deemed guilty of a contempt of Court."

The ATTORNEY GENERAL (Sir John Holker) said, it was not the desire of the Government, by this Bill, either to increase or diminish the privileges of solicitors. Their object was to leave them exactly in the same position as they now occupied. He did not think the Bill changed their privileges in any way. If it did, he would be very anxious to propose some clause which would have the effect of keeping them the same as they were before. He could not assent to this clause; but he would consider the matter further, and if he thought it was requisite to have any clause for the purpose suggested, he would bring one up on Report.

Mr. BULWER entirely agreed with the spirit of the remarks of his hon. and learned Friend (Mr. Charley). The Bill, as it stood, was open to the construction that a right of audience was to be given to solicitors in the Supreme Court in bankruptcy matters. Without speaking in any illiberal spirit, he was sure everyone would wish that whatever rights and privileges were conferred upon solicitors should not be conferred upon them by a side wind, but only after mature consideration and discussion. In his opinion, it was very desirable to keep the two branches of the Profession distinct.

Mr. WATKIN WILLIAMS did not think the Bill made any difference, his own impression being that it effected no change whatever. He, therefore, hoped his hon. and learned Friend opposite would be satisfied with the assurances of the Attorney General, and that he would not divide.

Mr. B. WILLIAMS wished to observe that the Bill did make a change, for it constituted the Court of Bankruptcy a portion of a division of the High Court of Justice. The Bill proposed to give the solicitors the same right of audience as they had when the Court of Bankruptcy was separate, and so it gave them a right of advocacy in the High Court. If so important a change was to be made, he entirely agreed with his hon. and learned Friends opposite (Mr. Charley and Mr. Bulwer) in thinking that it should not be made by a side wind. It was very desirable that the tone of advocacy in their Courts should be kept up, especially in the High Court of Justice. And for that purpose, as things were at present, the Bar ought not to have their right of audience interfered with.

Mr. CHARLEY observed, that the Attorney General had very fairly promised to consider the matter before the Report; and as his hon. and learned Friend had heard opinions expressed by several eminent members of the Bar, he hoped on the Report the hon. and learned Gentleman would feel it necessary to deal with this question by bringing up a clause. He begged to withdraw his Amendment.

Mr. MONK observed, that the four hon. and learned Gentlemen who had spoken seemed to express an opinion that solicitors who had a right to be heard in the Court of Bankruptcy should not have an audience in the High Court of Justice. If they did possess a right of appearing in the Court of Bankruptcy, and the Court of Bankruptcy was to become a part of the High Court of Justice, he certainly thought the same privilege which attached to them now ought to attach to them hereafter. He hoped, therefore, that the hon. and learned Gentleman would not consider that the general feeling of the House was that solicitors should not have the same rights after this Bill became law as they possessed at present.

Amendment, by leave, *withdrawn.*

New Clause.

(Entry of actions in district registry.)

"Whereas it is expedient to provide for the entry for trial of actions or the issues therein in district registries, and to enable such actions and issues to be entered and lists thereof prepared before the opening of the commission of assize, it shall be lawful for any person giving notice of trial of an action or issue elsewhere than in London or Middlesex, and provided there is a district registry at the town where such action or issue is to be tried, to enter the action or issue for trial at any time after the close of the pleadings, and up to and including the day prior to the commission day of the assize at which such action or issue is to be tried in the district registry of the town where the trial is to be had. The registrar of each district registry shall make a list of all actions and issues so entered in his registry in the order in which they are entered, and shall send it to the associate or other proper officer on or before the commission day of the assize."

Clause *agreed to,* and *added* to the Bill.

House *resumed.*

Bill *reported;* as amended, to be *considered* upon *Monday* next.

KNIGHTSBRIDGE AND OTHER CROWN LANDS BILL—[Bill 231.]

(*Mr. Gerard Noel, Mr. Secretary Stanley.*)

SECOND READING.

Order for Second Reading read.

Mr. GERARD NOEL, in moving that the Bill be now read a second time, said, the Bill had three objects. First, to make improvements in the entrance towards Hyde Park Corner by Knightsbridge Barracks; secondly, to transfer a portion of land now under the control of the Woods and Forests to the control of the Office of Works. This piece of land abutted on Hampton Court Park, and as the Office of Woods had no officer there to superintend it, it was very desirable it should be transferred. The third object of the Bill was to permit two portions of land to be given up to the Office of Works to replace land taken from Regent's Park in order to form a new approach over the canal at Gloucester Gate.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gerard Noel.*)

Mr. DILLWYN thought that, as they were dealing with Crown property, they ought to consider whether it would be wise to transfer it to the Chief Commissioner of Works; and for this purpose he thought Bills of this kind should not be brought on late at night. He had intended, therefore, to put down Notice of Opposition to it; but on looking at the measure he found it was a small Bill for a practical purpose, and, therefore, he did not propose to offer any opposition to it.

Mr. MONK pointed out that it was proposed, when this Bill had been read a second time, to refer it to a Select Committee. That Committee was to consist of only three Members, and he thought that was very undesirable. A Committee of less than five would not give satisfaction to the House, and for that reason he should oppose the Bill at the next stage.

Mr. GERARD NOEL said, the Committee would consist of five; but two of its Members would be nominated by the Committee of Selection.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

And, on July 18, Committee *nominated* as follows:—Mr. Monckton, Lord Charles Bruce, Mr. Isaac, and Two to be nominated by the Committee of Selection:—With power to send for persons, papers, and records:—*Ordered,* Three to be the quorum.

QUESTION.

SOUTH AFRICA—THE ZULU WAR—REPORTED SUBMISSION OF CETEWAYO. QUESTION.

Mr. DILLWYN: Before we adjourn, I should like to ask the Secretary of State for the Colonies a Question. There is a rumour in the Lobby that Cetywayo has sent in his submission. I should like to ask him, Whether he has received any telegram to that effect; and whether he can give the House any information respecting it?

Sir MICHAEL HICKS-BEACH: I have this evening received a telegram, dated Natal, June 30, from which it appears that at that date our Forces were within 12 miles of Ulundi; and that General Marshall had reported that messengers had reached him from Cetywayo, bringing with them elephants' tusks, which are the sign of a message from the King. It does not, however, appear what the purport of the message was.

MOTIONS.

ARMY DISCIPLINE AND REGULATION (COMMENCEMENT) BILL.

On Motion of Colonel Stanley, Bill to bring into force "The Army Discipline and Regulation Act, 1879;" and for other purposes, *ordered* to be brought in by Colonel Stanley, Mr. Secretary Cross, Mr. William Henry Smith, and The Judge Advocate General.

Bill *presented,* and read the first time. [Bill 248.]

COMMISSIONERS OF WOODS (THAMES PIERS) BILL.

On Motion of Sir Henry Selwin-Ibbetson, Bill to authorise the Commissioners of Her Majesty's Woods and Forests and Land Revenues to agree with the Conservators of the River Thames on the payments for Piers or Landing-places in or upon the bed or shore of the River Thames, *ordered* to be brought in by Sir Henry Selwin-Ibbetson and Mr. Gerard Noel.

Bill *presented,* and read the first time. [Bill 249.]

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Friday, 18*th July,* 1879.

MINUTES.]—Public Bills—*First Reading*—Bills of Sale (Ireland) * (155).

Second Reading — Public Loans Remission * (144).

Report—Tramways Orders Confirmation* (135); Highway Accounts (Returns) * (143).

Third Reading — Inclosure Provisional Order (Whittington Common) * (136); Cork Borough Quarter Sessions * (142), and *passed.*

SOUTH AFRICA—THE ZULU WAR—THE DEFEAT AT ISANDLANA—THE COURT OF INQUIRY.—QUESTION.

Lord TRURO asked, Why Colonel Harness, who could give very full information with regard to the Isandlana disaster, was put upon the Court of Inquiry—a course which deprived the Court of the assistance of a most important witness?

Viscount BURY, in reply, said, the suggestion that Colonel Harness was put upon the Court of Inquiry to deprive it of a material witness was a presumption which the noble Lord was not justified in putting forward.

Lord TRURO explained, that what he said was that that was the effect of the appointment. He did not say it was done for that purpose.

Viscount BURY: The noble Lord who commands in South Africa is a a Member of your Lordships' House, and he is not here to defend himself. The War Office is not in possession of the information which would enable you to come to a conclusion. In these circumstances I think we are bound to suspend our judgment.

SOUTH AFRICA—LATEST TELEGRAM.

QUESTION.

THE EARL OF KIMBERLEY asked the noble Earl the Under Secretary of State for the Colonies, Whether the Government had received any further news from the Cape?

EARL CADOGAN, in reply, said, that the latest news the Government had received was contained in the following telegram from Sir Garnet Wolseley to the Colonial Office, dated Pietermaritzburg, Natal, 30th June, 1879, and which he would read to their Lordships:—

"Pietermaritzburg, Natal, June 30, 1879.—From aspect of affairs, believe war can be finished this season. I am raising corps of 4,000 carriers to work with Crealock's column; can, if necessary, increase their number very largely. I am landing stores and forage at Port Durnford, where I also intend landing marines and reinforcements. I hope to land there myself on Wednesday morning. Telegraph communication completed to that point. Crealock's head-quarters now there. Hope to push with his column to St. Paul's Mission Station, and so join Second Division and Wood's Column, both of which are now at point about 12 miles south-west of Ulundi, near Magnibonium on official maps. King says wants peace; to test his sincerity I have to-day sent back his two messengers to say he must send three of his councillors, who I have named, to meet my agent in First Division camp, where terms of peace can be discussed. Best information says he can only now bring about 10,000 men into the field. Have taken measures of informing Zulu people that all who join us with their families will be well treated and protected, and their cattle assured to them. Many have already come in. Have placed Lord Chelmsford in command of Second Division and of Wood's force until I can reach them. Have no difficulty in flashing orders to him. Weather fine. Health of troops in the field good. Went round hospitals here this morning; only 100 sick and wounded, all doing well and wanting for nothing. Loss of oxen by sickness considerable; hope to supply their places by mule and carrier transport. All quiet in Natal, where General Clifford commands all troops, whether regulars or Native levies. I am receiving the most cordial support and valuable assistance from Sir Henry Bulwer. There had been no fighting since last mail; no news of importance from the Transvaal; have ordered Colonel Lanyon to undertake no offensive operation, and to restrict his operations to protection of life and property, and to curtail expenses in every possible way. Have just heard from General Marshall that the King sent in the ivory tusks, which is a sign of the message being from the King, also the cattle taken from us at Isandlana; cattle kept by Chelmsford, but tusks sent back with repeated demand for the guns taken at Isandlana."

"July 1. — Have just received news that Chelmsford was to move his force yesterday five miles front without tents, expected to be at Ulundi to-day; considerable bodies of enemy close to Ulundi; written despatch from Chelmsford will reach me this afternoon, and I then embark for Port Durnford."

METROPOLITAN AND METROPOLITAN DISTRICT RAILWAY COMPANIES BILL.

THIRD READING.

Order of the Day for the Third Reading, read.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES): Having seen the Notice of the noble Earl opposite (the Earl of Camperdown), that he intends, on the third reading of this Bill, to move certain Amendments, I may remind your Lordships that it is contrary to the Standing Orders of the House that Amendments should be moved to a Local Bill on the Report, or on the third reading, unless under conditions which have not been complied with in respect of this Bill. The noble Earl cannot now move his Amendments; but I think it would be unfortunate if they were excluded from consideration. I should, therefore, suggest that the third reading should be postponed till Tuesday next. Questions have arisen with regard to widening streets, and the Company are apprehensive of difficulties that may arise in cases where houses may be pulled down, and where the Corporation might interpose. I think that an arrangement might be come to on these points. Of course, we must be very careful in dealing with anything that has been deliberately passéd by both Houses of Parliament. If there is anything that can be done in a case of this kind to allow of an improvement which is considered very desirable being carried out—if a fair arrangement between the parties deeply interested in the improvement can be arrived at, we should make some efforts towards that end. I think, my Lords, an opportunity should be afforded for that purpose. Unless something is done, it would be very difficult to get the improvement made at all; and, therefore, we should be very careful what we do in this matter.

THE EARL OF CAMPERDOWN: I am perfectly ready to accede to the course proposed by the noble Earl. I should be the last to wish to do anything unfair in the matter. The clause

I object to was, in the first instance, rejected by the Committee, and it was ultimately only passed on the statement that if it were struck out the Company would not go on with the Bill. Now, although the Bill is a very important one, and I am anxious to see it become law, yet, at the same time, there are limits beyond which it is not right for us to go in order to secure it. It seems to me that the best course would be for the noble Earl the Chairman of Committees to consider the matter; and I am sure, in a matter of this kind, general assent will be given to any clause or any modification proposed by him.

The Earl of LONGFORD: As far as the Committee are concerned who considered the Bill, they are quite satisfied with the conclusion at which they have arrived, and do not wish any alterations made in it. At the same time, if anything which appears to the House on the recommendation of the Chairman of Committees to be an improvement is proposed, they would raise no objection to its consideration.

Third Reading postponed to *Tuesday* the 22*nd instant.*

SUCHAIT SINGH—THE CHUMBA SUCCESSION.

QUESTIONS. RESOLUTION.

Lord STANLEY of ALDERLEY rose to call the attention of the House to the succession of the Raj of Chumba; and to ask the Secretary of State for India, Whether a certain Sunned granted to the late Sri Singh, Raja of Chumba, by the Governor General Lord Dalhousie in 1848 was designedly so framed as to disinherit his brother of the whole blood Suchait Singh, who, but for the terms of such Sunned as construed by the Indian Government, was by Hindu Law entitled to succeed to the Raj on the death of Sri Singh in 1870; and if such be the case, what were the reasons for excluding Suchait Singh, then a child under seven years of age; and whether the Government is aware that Suchait Singh, in consequence of the construction of the Sunned of 1848 by the Indian Government, is now reduced to destitution; and to ask how much Colonel Reid is receiving as pension out of the Chumba revenues in addition to the £3,000 a-year paid to the present Superintendent of Chumba; and whether, in view of the possibility of the action of the Government having been erroneous, Her Majesty's Government will direct a maintenance to be provided for Suchait Singh out of the revenues of Chumba until any questions as to the succession can be finally decided; to ask the Secretary of State whether he will cause an independent inquiry to be instituted into the conduct of the present Administrator of the Chumba States? and to move to resolve—

> "That this House is of opinion that the claim of Suchait Singh should be investigated, either by referring it to the Judicial Committee of the Privy Council, or to a Select Committee, or to a special Commission not composed of Indian Government officials."

The noble Lord said*: My Lords, I ask your Lordships for an indulgent and a patient hearing, because I am pleading for justice. I have sometimes asked myself if I was justified in taking up the time of the House with my inefficient advocacy; but I have come to the conclusion that it is not the weakness of my advocacy that is in fault so much as the apathy of those that opposed me, for it is not long since the noble and learned Lord, who is not now in the House (Lord Selborne), pleaded with the noble Viscount the Secretary of State for India for justice and clemency for Sirdar Narain Singh; but, though he spoke with the eloquence which belongs to him, and with all the weight and responsibility of an ex-Lord Chancellor, he obtained no more results than I have done on other occasions. I have no doubt that the noble Viscount the Secretary of State for India looks upon me in the light of the importunate widow in the Scriptures; but I have one advantage over that lady, for she addressed herself to a Judge who boasted that he neither feared God nor regarded man; and we know that the noble Viscount does not come under that description. Another strong point in my favour is that the Secretary of State cannot say that he cannot reverse the action of his Predecessor, for the noble Duke, his Predecessor (the Duke of Argyll), in whose time this case was decided, has asked for its re-consideration. This question, moreover, has never been really investigated by the Indian Government, or by independent officials, and it has not gone out of the hands of a very few local officials of the Punjab Government.

Suchait Singh, from the long time that his family have lived and reigned in Chumba, has a strong claim on the sympathy of the Scotch Peers, especially of those who have lately taken so strong an interest in the Earldom of Mar. The Moghul Government of Delhi cherished and honoured the Rajputs, and that is a precedent and a tradition which the British Government would do well to follow. This is no Party question, and up to the present time no Conservative Minister is responsible for it. Last year, about this time, I brought before your Lordships the case of the Bungana Pally succession, which, like this, rested upon Lord Canning's promises and charters. A weekly periodical, which gives the briefest summary of the Proceedings of both Houses of Parliament, said that that speech ought to have been delivered to the Judicial Committee of the Privy Council, and not to your Lordships. I entirely agree with that opinion; but the Judicial Committee of the Privy Council is closed to those who seek redress. A short time ago, when I urged to your Lordships that access should be given to it, and that cases such as this one should be first decided by judicial authorities, and not by captains or subordinate Revenue officers, the noble Viscount answered me that Lord Canning had made no such promises; but the promise to follow Mussulman and Hindu Law in cases of succession includes and involves the promise of ascertaining judicially what that law is, and that can only be done by legal men, and not by political officials. The opinion, however, of the Civil Service in India is, in general, favourable to Suchait Singh. A short time ago, a deputation waited on the Secretary of State to represent the claims of Suchait Singh; it was introduced by the noble Marquess (the Marquess of Tweeddale), who might well interest himself in this matter, for, when he was in the Civil Service of India, his life and that of the other English at Simla was saved at the time of the Mutiny by the exertions and influence of Mutsuddy Ram, the Vizier of Suchait Singh, who has followed his master here into exile; but up to the present time Mutsuddy Ram has received no reward or recognition of his services from the Indian Government. The noble Viscount the Secretary of State would give no other answer to that deputation than that he could not enter into the matter, because it had not been remitted from the Indian Government for his consideration. This is on the ground of an Order published in the *Government of India Gazette* of March, 1878; and there is good reason to believe that this rule was framed to meet this particular case. The effect of it is to limit the authority of the Home Government, and to shut out the people of India from all hopes of redress of their grievances. After these preliminary observations, I come to the case. Chumba is a Rajput Principality, which for 3,000 years has been held by the family of Suchait Singh. It borders on Cashmere, its area is 3,216 square miles, the revenue is now under £30,000, and the tribute it pays to the Indian Government 10,000 rupees, or £1,000. Sri Singh, the late Rajah of Chumba, received in 1848 a Sunned from Lord Dalhousie, on our taking the Punjaub, granting him the State of Chumba—

> "In perpetuity, and to his heirs male who, according to the Shastras, may be his rightful successors. In the event of the Rajah having no male heirs, his next brother who may be the eldest of his surviving brothers will succeed him."

Sri Singh had a brother of the same mother, Suchait Singh. He had also a half-brother, Gopal Singh, who had not been recognized as a son by his father, Charrat Singh, nor had been brought up in the palace. Gopal Singh was older than Sri Singh and Suchait Singh. This is disputed. It is certain that he was older than Suchait Singh. In 1870 Sri Singh died, and, before his funeral rites were performed, Colonel Reid, the Superintendent of the Finances of Chumba, hastened to place Gopal Singh on the guddee, or throne, of Chumba, on the ground of the words of the Sunned, and that he was the eldest of the surviving brothers. Now, the cause of all the mischief, and of the setting aside of the lawful heir, Suchait Singh, was the mistake originally made by Colonel Lake, when Lord Dalhousie's Government was misinformed that there were three brothers, when there were only two. Later on, another mistake was made, which I will refer to further on. Lord Dalhousie's Sunned refers to rights under the Hindu Shastra; he would not, therefore, knowingly have preferred a half-brother to a full brother. I have, therefore, put down upon the

Notice Paper the first Question, and the answer which must necessarily be given to it will show that Lord Dalhousie was misinformed, and led to believe that there were three equal brothers. Suchait Singh wishes me to state that there has never been any enmity or ill-feeling between him and Gopal Singh, and that Gopal Singh always writes to him recognizing Suchait Singh's rank. It is with reluctance that Suchait Singh has allowed me to mention the facts concerning the birth of Gopal Singh. In fact, Gopal Singh was not a brother at all; his mother had three lovers, one is still alive, two were executed, and the mother would also have been executed, had she not been with child, and on account of the intercession of Rajah Zorawer Singh, brother of Charrat Singh. As it was, she was expelled the palace, and Gopal Singh was born prematurely, a seven months' child. It is known that these lovers were executed some time before Sri Singh's birth, which corroborates the assertion that Gopal Singh was born before Sri Singh. Gopal Singh had no provision made for him beyond £50 a-year, which was left him out of compassion by a Ranee of Charrat Singh, who became Sati at the death of her husband. These facts are new facts—that is to say, they have not yet appeared in the official papers; but the Government would have been informed of them had there been any independent inquiry. Suchait Singh was always looked upon by the people of Chumba and by the neighbouring Rajahs as the heir to Sri Singh, his brother; and, notwithstanding occasional differences between the brothers, on two occasions Sri Singh sent Suchait Singh to represent him and appear as Dothain, or second in rank, at the Durbar of Sir John Lawrence; and later of Lord Lawrence, the Viceroy, who gave him the usual presents. I will ask the Secretary of State for India, if he will lay upon your Lordships' Table the Correspondence of Mr. Melville, containing the testimony of the Rajahs at the Gopipoor Dehra Durbar in 1861, as to their heirs, in which Suchait Singh is mentioned as the heir of Sri Singh. When Sri Singh died, his obsequies were delayed till Suchait Singh could arrive from Cashmere, where he had been staying with his relative the Maharajah. The people of Chumba would allow no one but Suchait Singh to perform them. The performance of funeral rites is generally a safe index of the rights of inheritance. And now I ask what, besides a too literal adherence to the words of the Sunned, and a disregard of its reference to the Shastras, were the motives for setting aside Suchait Singh? There were not any of those high political considerations which it is sometimes alleged should have a preference over those legal rights guaranteed by Lord Canning's charters. The State of Chumba is too small for such, and the correspondence shows that Suchait Singh was looked upon as a man of promise, whilst no such hopes were entertained as to Gopal Singh. But whatever political considerations may be alleged as existing in 1870, these were all stultified in 1873, when Colonel Reid and General Taylor found it necessary to depose their puppet, Gopal Singh, and to instal a small child, his son, Sham Singh. But there was another motive of so patent a nature that there is no reason for refraining from saying that it was of a pecuniary nature. Colonel Reid entered the service of Sri Singh with a salary of £1,200 a-year. This was gradually raised to the sum of £3,000 a-year, besides horses, elephants, forage, &c., a large sum out of a total revenue of £30,000, and one which he would probably have lost, if Suchait Singh, an active man, able to administer his own finances, had succeeded. What do your Lordships think of the justice of taking more than £3,000 a-year for a stranger, and the attempt to force Suchait Singh, the heir of so ancient a family, to sell his birthright and renounce his just claims for the sum of £500 a-year? Now, also, that a child is in possession of Chumba, what becomes of its revenues, and how much is absorbed perhaps on the pretence of making roads? I have put down the Question on the Notice Paper as to the amount of Colonel Reid's pension, in addition to the salary of his successor, in order that it may be known how much is drained away from this small State, and the amount of pecuniary interest that exists for the state of things complained of by the people of Chumba, and what was the exact official position of Colonel Reid before and after 1870. And now, after the deposition of Gopal Singh, I take a fresh departure, and the Government of India might, and ought, to have taken a fresh departure, for, according to these words of Lord Dalhousie's Sunned of 1848—

> "Should any of the Rajahs of Chumba mismanage the affairs of the country, the British Government will remove him, and appoint in his place another of the family. It is not the object of the British Government to take the country into its hands; the only thing which it has in view is that from the good management of the territory and the impartial administration of justice the people should continue to enjoy peace and happiness."

The Indian Government should have appointed Suchait Singh, a grown man, to govern Chumba; it should have taken this opportunity to give peace and contentment to the inhabitants of Chumba, many of whom left their country to petition for the return of Suchait Singh and have not been allowed to return to their homes. I know that the noble Viscount the Secretary of State is under the impression that Chumba is well governed and its people perfectly happy, and so long as he makes no inquiry by independent persons he will be informed that it is so; but I must not only tell him that these are vain illusions, I must also ask him to order an official and impartial investigation as to the statements which I am now going to make. At the beginning of this year the complaints of the people of Chumba with regard to the prevalence of bribery became so great that Mr. Burney, the successor of Colonel Reid, thought it necessary to notice and check them. He therefore, last February, summoned the complainants to come to his Court and substantiate their accusations. He dismissed some complaints; but others were substantiated against Abtar Singh and another of the Chumba Vizirs. These he removed, and gave them pensions to the amount of half their pay; but did not oblige them to make restitution of the sums they had received. After this, a Mussulman of Noorpoor said that he had given certain sums for certain people to Mrs. Kelly, the wife of a barrack-master. He was asked why he did that, and he replied—"Because she has influence with your honour." Mr. Burney upon this was troubled, and hastily closed the Court, and sent this man to the House of Detention. Next day he sent for him again, when he said that he had time in prison to refresh his memory, and he had made out a list of sums given by various people to make the false appear true, and to obtain various offices, and that what was certain was, that they got what they paid for. After this the Mussulman was released, and Mr. Burney went away for a time from Chumba. Amongst other irregularities and illegalities that took place when Colonel Reid and Colonel Taylor set aside Suchait Singh from the throne of Chumba, Colonel Taylor put Suchait Singh under restraint at Umritsir. He could not legally have done this to a Native of British India against whom there was no criminal accusation, still less could he do so in the case of an independent Prince. Colonel Taylor, indeed, alleges that Suchait Singh was intriguing, and had written seditious letters; but none of these letters are in evidence, and I deny that he ever wrote anything seditious, unless that term is also applicable to a statement made in this House, that this House has no jurisdiction over Scotch Peerages on the Roll before the Act of Union. I said before that another mistake had been made with regard to Gopal Singh, and this was that he had been represented to the Duke of Argyll as the full brother, and Suchait Singh as the half-brother, and the despatch of the Duke of Argyll confirming the decision of the Punjaub Government, dated July 20, 1871, mentioned Suchait Singh as the half-brother. This mistake was pointed out at the time from India and the despatch cancelled, and an amended despatch substituted. In May last, two gentlemen waited on the Duke of Argyll to point out this mistake and others that had led to the decision then arrived at. The Duke of Argyll wrote a letter to one of them, which I will read to your Lordships, as it entirely does away with the objection sometimes raised against reversing the action of a Predecessor—

> "Argyll Lodge, May 19, 1869.
>
> "Sir,—I really cannot do more than I have done. You may, however, show this note expressive of my hope that the case will be seriously re-considered at the India Office, with the view to see whether a mistake has not been committed in the decision come to when I was Secretary of State. "Your obedient servant.
>
> (Signed) "ARGYLL.
>
> "J. E. Liardet, Esq."

The writing this letter by the Duke of Argyll was an act of great generosity. A short time ago, at Sheffield, the noble Viscount the Secretary of State for India twitted the Duke of Argyll with holding himself to be infallible; but after the letter I have just read that accusation falls to the ground; and if the noble Viscount (Viscount Cranbrook) should refuse to allow of an investigation of this matter, and the "serious reconsideration" of it asked for by the Duke of Argyll, he must take a degree higher than the Duke of Argyll, and hold himself to be what the Italians would call "infallibilissimo." I now move for an investigation into the claim of Suchait Singh, leaving to the Secretary of State the option between three methods of independent inquiry. It is melancholy to think that men with all the talents possessed by Ministers of State, animated as they must be by care for the preservation of the Empire, and the knowledge that it can only be preserved by strict justice and loyal adherence to the Royal Proclamations and Viceregal Charters, should devote too much of their time and energies to Party purposes, and, delegating too much of their authority to subordinate officials, consider themselves as bound by their errors and appear to make it a point of honour to refuse to acknowledge a mistake or to redress a wrong for which they then make themselves responsible, and for which the Empire must inevitably suffer. In conclusion, may I remind the noble Viscount of the words of Camoens—

"Who worketh injury reasonless and vain,
With force engendered by his power of place,
Nought conquereth; the sole true conqueror he
Who knows to render justice fair and free?"

Moved to resolve, That this House is of opinion that the claim of Suchait Singh should be investigated either by referring it to the Judicial Committee of the Privy Council, or to a Select Committee, or to a special commission not composed of Indian Government officials.—(*The Lord Stanley of Alderley.*)

VISCOUNT CRANBROOK said, that the speech made by the noble Lord must have convinced their Lordships that the House of Lords was not an Assembly suited to the discussion of a question such as that raised by the noble Lord, and he must decline to go into the case. The case had been decided by the Government of the Punjaub and the Indian Government in the time of Lord Mayo; it was considered in the time of the noble Earl opposite (the Earl of Northbrook), and the decision of those Viceroys had been confirmed by the Duke of Argyll as Secretary of State; it had also been considered by his Predecessor in Office (the Marquess of Salisbury), who, in a despatch sent out to India, said the decision come to must be considered as being final. That being so, the Petitioner had sent in a Memorial to the Indian Government for a re-consideration of the case; but it was no part of his duty as Secretary of State to go into the merits of the question. The noble Lord (Lord Stanley of Alderley) had gone into the matter very fully, and had asked whether the Sunnud granted to the late Sri Singh was designedly so framed as to disinherit his brother of the whole blood, Suchait Singh? His answer was that the Sunnud of Lord Dalhousie did not in terms disinherit anyone; but directed that a brother of Suchait Singh should succeed to the Raj on the death of Sri Singh. That brother was the eldest, and he did succeed. There never was any question as to the successor being of the half-blood. The noble Lord asked him whether he was aware that Suchait Singh was reduced to a state of destitution? He (Viscount Cranbrook) regretted that the Claimant should have been reduced to destitution in consequence of the case having been decided against him; but he must point out that the Indian Government had told Suchait Singh that if he was willing to accept the decision and go back to India, they would provide means for his maintenance, and the Government at Home would make arrangements for his return. If he would not take the money which was offered to him, it would be his own fault. There was no ground laid for any further inquiries, and he must decline to order any. As to the salary and pension of Colonel Reid, he must say that he was receiving no more than was regularly allowed under the circumstances, and the pension came out of the Revenues of India, and not out of those of Chumba. The pension, which was earned by long services, amounted to £984, and no deduction was made from the Revenues of Chumba on account of it. There was nothing new in the case as set forth by the noble Lord. It was fully gone into by General Taylor, and his Report was adopted by the Government of the Punjaub, and again by the Indian Government, and by the Government at Home, after carefully and fully considering the facts of the case. The noble Lord had complained of the administration of the Chumba estate, and also of other persons, and called upon him (Viscount Cranbrook) to direct an inquiry into the administration of it; but he could not do so upon such statements, and he was astonished that the noble Lord should have made, upon such authority, charges against these persons. In conclusion, he would repeat that Lord Dalhousie had laid down the principles upon which this succession should go. On those principles his Predecessors in the Government in India and at Home had decided, and by that decision he must abide.

THE EARL OF NORTHBROOK said, that in 1874, when Viceroy of India, he and his Advisers had occasion to examine into this case, which had been previously settled by his Predecessor, Lord Mayo. The case appeared to them perfectly clear, and the decision of Lord Mayo upon it was adjudged by them to be right. He had, since the present Motion was put upon the Notice Paper, looked again carefully into the documents which were in 1874 placed before him, and he could find no reason whatever for altering the opinion he had then formed. He had listened to the statement of the noble Lord (Lord Stanley of Alderley) with interest; but had discovered in it no new facts essentially affecting the case. The whole of the facts appeared to be contained in the Papers which were before the Government of India in 1874, and published in *The Gazette* of India at the time. He entirely concurred in what had fallen from the Secretary of State; and, if he might offer his advice to the Claimant in this case, he would suggest that he should not let himself be deceived by anything which any interested persons might say to lead him to suppose that there was any chance of the case being re-opened and decided in his favour; but that he should at once accept the offer made to him by the Government of India, and should not remain any longer in this country, but return to his Native State and live there quietly on the provision he would receive.

LORD STANLEY OF ALDERLEY having briefly replied,

On Question? *Resolved* in the *Negative*.

Viscount Cranbrook

MEETING OF THE HOUSE TO-MORROW (SATURDAY).

THE DUKE OF RICHMOND AND GORDON said, the Government proposed that the House should meet to-morrow at 5 o'clock for the purpose of receiving the Army Discipline and Regulation Bill, should that measure pass through the House of Commons by that time.

BILLS OF SALE (IRELAND) BILL [H.L.]

A Bill to amend the Law relating to Bills of Sale in Ireland—Was *presented* by The Lord O'HAGAN; read 1^a. (No. 155.)

House adjourned at half past Six o'clock, till To-morrow, Five o'clock.

HOUSE OF COMMONS,

Friday, 18*th July*, 1879.

MINUTES.]—NEW WRIT ISSUED—*For* Ennis, *v.* William Stacpoole, esquire, deceased.

PRIVATE BILL (*by Order*)—*Considered as amended*—Great Northern Railway (Ireland).

PUBLIC BILLS—*Resolution in Committee*—Army Discipline and Regulation (Commencement) [Expenses] *.

Ordered—First Reading—Poor Law (Scotland) (No. 2)* [252].

Second Reading—Public Health (Ireland) Act (1878) Amendment* [128]; Petroleum Act (1871) Amendment* [214].

Select Committee — Knightsbridge and other Crown Lands* [231], *nominated.*

Considered as amended—Railways and Telegraphs in India* [234].

Considered as amended—Third Reading—Army Discipline and Regulation [245], and *passed.*

The House met at Two of the clock.

PRIVATE BUSINESS.

GREAT NORTHERN RAILWAY (IRELAND) BILL [*Lords.*] (*By Order*).

CONSIDERATION, AS AMENDED.

Bill, as amended, *considered.*

MR. VERNER, in moving, as an Amendment, in page 17, line 12, to leave out the words, "if any," said, that his object in putting it on the Paper was to ask the House to accept it in the interests of a number of the *employés* of the Newry and Armagh Railway Company, whose position was destroyed by the passing of this measure. An agreement for amalgamation had been entered into by the Great Northern of Ireland and the Newry and Armagh Railway Companies, and the object of the Bill was to give a Parliamentary sanction to the agreement for the fusion of the two undertakings. Unfortunately, however, that fusion would lead to the dismissal of the *employés* and servants of the smaller Company; and, therefore, he proposed to amend Clause 14, which, with the words "if any," limited the compensation which was due to the officials of the Newry and Armagh Company, by providing that compensation, not exceeding on the whole the sum of £3,000 be substituted, which would be at the rate of two years' salary or remuneration to each of those officers, computed according to the amount paid for the year ending 31st December last. As a matter of fair play they were entitled to some compensation, and no one doubted the justice of their claims; but, unfortunately, the Rules and Standing Orders of the House threw some difficulty in the way, and they were thus prevented from having their just claims placed before the Committee to which the consideration of the Bill had been referred. That Committee had given the Bill great consideration; but, still, as these men could not come before them to establish their claims, it might be said it had not received all the consideration it deserved. It was clear that, had it not been for the energy displayed by the servants of the Newry and Armagh Company, the line would have been extinct many years ago. They had succeeded in bringing it to such a condition that the directors and shareholders were able to make a very profitable, or, at all events, a very fair bargain with the Great Northern Company; but he was given to understand that the directors of the Newry and Armagh Company, in apportioning the purchase-money, did not propose to give any of it in compensation to those who had been for some time past their honest servants, save in one instance—that of Mr. Fearnley, the secretary of the Newry and Armagh Railway, who was to get the small sum of one year's salary. The *employés* of the Newry and Armagh Company had not received any advances from the Great Northern Company to take them into their employment, nor had they had any consideration from their own directors. They would, therefore, be cast on the world without the means of earning their bread; and everybody knew that in these depressed times, especially in Ireland, it would be very difficult for these men to obtain employment similar to that in which they had hitherto been engaged. He believed that nearly every Railway Company in Ireland was well supplied with servants; and, therefore, did not require the men who were to be discharged from the Newry and Armagh Line. He thought it was a great hardship to them that they should, at what he might call a moment's notice, be thus thrown adrift upon the labour market, which, in Ireland, was overcrowded, so that it was hard for them to obtain fresh work. It was possible the Great Northern Company might give them something to do further on; but, in the meantime, they had sent in a petition to their own directors, but he regretted to say that the petition had not been favourably entertained. In all previous amalgamations the interests of the officers and servants of the disestablished Company had been considered; but, in this instance, the directors had virtually refused to give any compensation to their *employés*, and hence it was he moved the Amendment, in order to allow of the directors doing justly by their servants, and to obtain an expression of opinion on the part of the House, to the effect that justice had hardly been done to the claims of the *employés*. It did not follow that, because all of the *employés* might not have been a long time in the service, there were not a large number deserving of compensation for the loss of their position, and he could not see why they should be shut out from obtaining it.

Amendment proposed, in page 17, line 12, to leave out the words "if any."—(*Mr. Verner.*)

Question proposed, "That the words 'if any' stand part of the Bill."

SIR JULIAN GOLDSMID imagined that, as Chairman of the Committee which sat on the Bill upstairs, it became his duty to say that it would be wrong for the House to accept the Amendment of the hon. Member (Mr. Verner). He understood, when the Bill for the amalgamation of the two undertakings was considered by the Referees, the servants of the smaller Company—the Newry and Armagh—which was, practically speaking, nearly bankrupt, petitioned to be allowed to appear before the Committee in order to endeavour to obtain compulsory compensation upon their discharge from the various offices they had held. Their *locus standi* was disallowed. Subsequently, application was made to him, as Chairman of the Committee, to insert in the Bill some such clause as the hon. Member had upon the Paper. It appeared to him, however, that, first of all, he would be going far beyond his province as Chairman in proposing, and, in the second place, that the Committee would go far beyond the practice of Committees in inserting, such a clause. Besides that, it also seemed to him that, upon general principles, such a proposal was objectionable, and that to have accepted it would have been to establish an injurious precedent. The hon. Member now proposed that every officer of the Newry and Armagh Company, whatever be the length of time he had been engaged in their service, should have compensation at the rate of two years' salary, besides six months' notice to quit. To lay down such a general principle upon a bare statement of facts like that just made by the hon. Gentleman would be to establish a very injurious precedent. He (Sir Julian Goldsmid) had made some inquiry on the subject, and he could not find any precedent for such action. The words in the clause of the Bill, as it now stood, were the correct ones—namely, that the Company should take over the business of the other Company, and—

> "Shall be liable for any retiring allowances and for any compensation, if any, which may be due to their officers and servants."

He did not think they ought to say that the large compensation should be due which the hon. Member desired to establish. He was told that several servants had only been a few months in the employ of the Company, and these would come under the operation of the Amendment of the hon. Gentleman. He did not think the House of Commons would say that any such proceedings could possibly be allowed; and, therefore, he considered it his duty to ask the House to resist the Amendment.

Major O'BEIRNE likewise regarded it his duty to object to the Amendment. There was no justice whatever in giving compensation to officers, when two railways were being amalgamated by their own consent. It was clearly to the advantage of the shareholders of the Newry and Armagh Company that they should be amalgamated; and, therefore, their servants had no claim upon the Great Northern Company.

Sir JOSEPH M'KENNA said, he would not have risen to make any observations on the subject, had it not been for certain remarks made by the hon. Baronet (Sir Julian Goldsmid), who was Chairman of the Committee. The hon. Baronet had spoken of the Newry and Armagh Company as bankrupt. That was hardly borne out by the facts, seeing that the Great Northern was about to pay the shareholders £2 10*s.* per share, and pay off, at the rate of 20*s.* in the pound, all their debts and equitable liabilities. The hon. Baronet, who, no doubt, referred to the earlier difficulties of the Company, would not, he presumed, question this explanation, for if the Company was really insolvent the shareholders should not receive back any of their capital.

Mr. RAIKES remarked, that the hon. Gentleman who had moved the Amendment (Mr. Verner) was good enough to call his (Mr. Raikes') attention to the matter yesterday. There could be no doubt that the House was always anxious that no servant should suffer in consequence of an amalgamation; yet, at the same time, the House well knew, from what had been said, that they would be departing from precedent if they were to accept the present Amendment. In the case of any public undertaking, which was purchased by, or amalgamated with, a large public corporation, provision was frequently made for compensation to the officers of the disestablished Company. But the present Bill contained a provision which was sufficiently strong in that respect, inasmuch as it was recited that any compensation or retiring allowances which were due should be paid by the Company which took over the smaller Company.

His hon. Friend, however, proposed that the House should specify the precise amount of that compensation. To adopt such a course would be very dangerous. Several of the officers might only, as the hon. Baronet (Sir Julian Goldsmid) had said, have been in the service of the Newry and Armagh Company for a very short time, and, therefore, were certainly not entitled to anything like the compensation proposed. That being so, he thought it would be desirable to leave the Company to do justice to the servants; and he was disposed to think that the Great Northern Company would act liberally, because he was given to understand that they had adopted a more liberal scale of compensation than was generally adopted. Under all the circumstances of the case, he hoped the hon. Member would not press his Amendment to a Division.

MR. DE LA POER BERESFORD thought that the servants of the Newry and Armagh Company had strong claims upon the directors of the Great Northern Company, and the directors themselves acknowledged this claim, because, in a clause in the Bill, they agree to pay all retiring allowances and compensation to their officers and servants. Speaking from his own experience, he could say that these men were most efficient; and, at the present time, it would be a very great and severe trial upon them to be turned out of their employment, which many of them had enjoyed for a considerable time. He had pleasure in supporting the Amendment.

MR. CALLAN said, that both in the interest of the Railway Company and the borough of Armagh, it was well that the Newry and Armagh Line should be amalgamated with the Great Northern. He would not advise the House to depart from precedent by adopting a proposal such as the present. He could hardly help thinking that the hon. Member for Armagh (Mr. De La Poer Beresford) had the interest of his political supporters in that city at heart, in supporting the Amendment in the way he had.

MR. DE LA POER BERESFORD replied, that the hon. Member for Dundalk (Mr. Callan) was completely in error. Every one of those men voted against him at the last Election.

MR. BIGGAR opposed the Amendment. The Great Northern Company had given the full value for the railway, as awarded by the arbitrators, and why they should be asked, in addition, to pay compensation allowances to the servants, he could not conceive. He trusted the hon. Member for Armagh (Mr. Verner) would not put the House to the trouble of dividing. These men were sure to obtain employment if their services were of any value.

Question put, and *agreed to.*

Bill to be read the third time.

QUESTIONS.

DESPATCH No. 4 (LEGISLATIVE) INDIA —OPINIONS UPON AND CORRESPONDENCE.—QUESTION.

SIR WILFRID LAWSON (for Sir DAVID WEDDERBURN) asked the Under Secretary of State for India, Whether he will lay upon the Table of the House, Copy of Despatch, No. 4 (Legislative), dated the 26th December 1878, together with the opinions of the local Governments and of the local officers, European and Native, to whom that Despatch was referred?

MR. E. STANHOPE, in reply, said, that as soon as the Correspondence was complete there would be no objection whatever to lay it on the Table; and he would endeavour to make such a selection of Papers as would give full information upon the subject.

ROYAL IRISH CONSTABULARY—TOWN INSPECTOR OF BELFAST.

QUESTION.

MR. O'SHAUGHNESSY: I beg to ask the Chief Secretary for Ireland, If he will give an assurance that upon the occurrence of a vacancy, well known to be imminent, in the Inspectorship of the Royal Irish Constabulary in Belfast, the principle of promotion of deserving officers within the force, recommended, with reference to its highest posts, by the Irish Constabulary Commission of 1866, will be adhered to, and the post given in accordance with the general usages of the force, to one of its officers?

MR. J. LOWTHER: Sir, with regard to this supposed vacancy taking place, I stated the other day, in reply to a Question put to me by the hon. Member for Cavan (Mr. Biggar), that I had received a communication from the officer referred to, in which he stated that he was quite restored to health, and he was happy to say he never felt better in his life; and I went on to express a hope that he would be spared for many years to the public service. I have no doubt proper steps will be taken to fill up a vacancy when it occurs; but I have no particular information with regard to it.

TREATY OF BERLIN — ASIATIC PROVINCES OF TURKEY.—QUESTIONS.

Mr. BAXTER asked the Under Secretary of State for Foreign Affairs, If, having regard to the decided language of the Marquess of Salisbury's Despatch, dated 8th August 1878, respecting the "measures of reform required specially for the Armenians," and the frequent complaints that have since been made of "abuses in government" and "miscarriage of justice" from that part of Asia Minor in which they constitute by far the largest portion of the population, any recent correspondence has taken place between Her Majesty's Government and the Ottoman Porte with a view of giving effect to the provisions of the Treaty and Convention in this respect; and, whether it has been proposed to place the Armenians under some such administration as has worked so satisfactorily in the Lebanon?

Mr. BOURKE: Yes, Sir, Correspondence has taken place, and is taking place, between Her Majesty's Government and the Porte, with the view referred to. In regard to the second part of the Question of the right hon. Gentleman, I beg to state that although two Commissions have been sent by the Porte to Asia Minor, one to Erzeroum and the other to the Vilayet of the Lebanon, with the view of inaugurating the new laws in that country, and also with the view of seeing whether the Organic Statute, which has been passed for Eastern Roumelia, could be brought into operation in that territory, yet it has not been proposed that the system of administration which has existed in the Lebanon for some years past—I think since 1862—should be introduced into the Asiatic Provinces of Turkey.

Sir CHARLES W. DILKE asked, Whether any Papers on the subject of reforms in Turkey would be distributed within the next two or three days?

Mr. BOURKE: Some Papers will be laid upon the Table this evening. They are very short; and I am not quite certain whether they can be said to apply to reforms in Turkey. They only, I believe, deal with one point.

METROPOLIS—EDUCATIONAL CHARITIES OF LONDON.—QUESTION.

Mr. E. JENKINS asked the Vice President of the Council, Whether it would be possible to obtain the Report and Return of the Committee appointed by the London School Board on London Educational Charities, and to present it to the House and print it for the information of Parliament?

Lord GEORGE HAMILTON, in reply, said, that he was not aware that there was any Report of the kind referred to by the hon. Gentleman, or that there was any Committee of the London School Board specially appointed to report on the Educational Charities of London; but there was a Standing Committee, which reported on the schemes of the Endowed Schools' Commissioners, and its Reports were accessible to every ratepayer of the Metropolis, so that there was no necessity to lay them on the Table.

POST OFFICE (CONTRACTS)—THE PENINSULAR AND ORIENTAL STEAM NAVIGATION COMPANY.

QUESTIONS.

Mr. RATHBONE asked the Secretary to the Treasury, If he can say when the Government propose to bring the Contract with the Peninsular and Oriental Company for conveyance of the Eastern Mails before the House?

Mr. ISAAC asked the Secretary to the Treasury, When the Contracts provisionally entered into for the conveyance of Mails to India and China will be submitted to the House for confirmation?

Sir HENRY SELWIN-IBBETSON, in reply, said, he wished he could give a more definite assurance as to the day on which he hoped to be able to do what hon. Members required in their Questions; but in the present state of Business it was almost impossible to fix anything with certainty. He would put the matter down for Tuesday week, in the hope that he might be able to bring it on on that day.

NAVY — H.M.S. "WARRIOR." QUESTION.

Mr. BIGGAR asked Mr. Chancellor of the Exchequer, Whether, previous to the forthcoming discussion of the Navy Estimates, he has any objection to the iron model (18 inches by 10 inches) being exhibited, showing the actual construction of the "Warrior," together with the particulars thereunto appended, so that Members may have an opportunity of inspecting the same?

Mr. W. H. SMITH, in reply, said, he was not aware whether there was such a model, with the particulars mentioned; but there were several models in the Museum at Greenwich Hospital, which was open to the inspection of Members, to whom every facility would be afforded for seeing them. It would not be convenient to remove the models from a place where they were a constant object of study.

ARMY MEDICAL DEPARTMENT—EXAMINATIONS.—QUESTION.

Mr. J. BROWN asked the Secretary of State for War, Under what conditions successful candidates at the coming examination in August will enter the Army Medical Department; whether under the Warrant now in force, limiting their service to ten years, or under a new Warrant, which has been promised, but is not yet published?

Colonel STANLEY, in reply, said, the usual Notice had been given. He hoped that by that time the new Warrant now under the consideration of the Treasury, and which in substance carried out a good many of the recommendations of the Medical Committee of last year, would have been issued; but if it were not, the examinations would be held under the old one.

POST OFFICE (CONTRACTS)—THE AUSTRALIAN MAILS.—QUESTION.

Mr. SAMPSON LLOYD asked the Postmaster General, Whether (inasmuch as forty-one to forty-two days are usually occupied in the transmission of letters to Melbourne by the means of conveyance adopted by the Post Office, while private Steam vessels have been known to perform the voyage in thirty-seven days) he can inform the House whether any and what steps are being taken to accelerate that mail service, in accordance with the prayer of various Memorials which have been addressed to the Department?

Lord JOHN MANNERS: Sir, when the new Contract between the Imperial Government and the Peninsular and Oriental Steam Navigation Company and the new Contract concluded between the Government of Victoria and the same Company take effect, on the 1st of February next, there will be an acceleration of the mail service from England to Melbourne to the extent of fully five days. The time to be occupied between London and Point de Galle will be a little over 20 days, and the time to be occupied between Point de Galle and Melbourne will be 19 days, or in all 39 days.

FRENCH AND ENGLISH MARRIAGE LAWS.—QUESTION.

Mr. HARDCASTLE asked the Secretary of State for the Home Department, Whether it is the fact that marriages contracted in this country between French men and English women in accordance with English law, are, in the absence of certain elaborate formalities required by French law, the necessity for which is generally unknown in this Country, absolutely void in France; whether numerous instances have been recently brought under his notice in which English women so married, after living for years without doubt as to the legality of their marriage, have been abandoned by their husbands in France on the ground that their marriage was informal; and, whether, pending any diplomatic negotiation which may be undertaken for the amendment of the French law in this respect, he will issue instructions to persons qualified to perform marriages in this Country, in order that when notice is given of such intended marriages between French men and English women, both parties may be informed what are the requirements of the French law?

Mr. ASSHETON CROSS: Sir, I have no doubt that the first paragraph of the Question substantially states what the existing French law is; but my noble Friend the Secretary of State for Foreign Affairs (the Marquess of Salisbury) has promised to obtain absolutely correct information upon that point. With regard to the second paragraph of the Question, I am sorry to say there can be no doubt whatever that many most heart-rending cases have taken place precisely as therein described; and I should be very glad indeed to do anything in my power to prevent a recurrence of such cases. I shall consult with my noble and learned Friend the Lord Chancellor as to what means can be taken for making the existing French law known. More than that, I do not think my hon. Friend can expect me at the present moment to say.

NAVY—NAVIGATING OFFICERS.

QUESTION.

Mr. SAMPSON LLOYD asked the First Lord of the Admiralty, Whether, inasmuch as additional pay is offered (by the Circular of 27th May, 1879) to executive officers who qualify for and perform navigating duties, it is intended to grant similar emoluments to the old navigating officers who have performed those duties for years past, so as to place the latter on an equality with executive officers in pay and position; and, if not, whether the Admiralty will offer some increased facilities to the old navigating officers to retire from a position which many of them felt to be humiliating?

Mr. W. H. SMITH: Sir, so far as pay is concerned, navigating lieutenants have an advantage over lieutenants on the executive list who undertake navigating duties. I entertain a high sense of the value of the services of the navigating officers of the Fleet, and I should be exceedingly sorry to hear that any of them supposed their position to be a humiliating one. I am not aware of any grounds for this feeling. As a matter of fact, the pay and position of these officers have been improved in recent years; but I do not see my way to offer additional inducements for retirement, as the existing scale is, in my judgment, a liberal one.

ARMY — THE 60th RIFLES — CASE OF COLOUR SERGEANT DICKATY.

QUESTION.

Mr. PRICE: I beg to ask the Judge Advocate General, with reference to the trial of Colour Sergeant Dickaty, of the 60th Rifles, under the 52nd Article of War, for shamefully abandoning his post, Whether the sentence of reduction to the ranks and five years' penal servitude which was passed upon him has been merely remitted, or whether the proceedings of the court martial have been quashed or set aside; whether the offence under which the prisoner was arraigned, and the sentence passed upon him, will be recorded against him in the regimental defaulter's book; whether it is to be understood that the prisoner is considered to be morally as well as legally innocent of the charge preferred against him; and, whether it is not really the fact that Colour Sergeant Dickaty behaved well under difficult circumstances?

Mr. CAVENDISH BENTINCK: Sir, with reference to the first two parts of the Question, I have already explained to the hon. Member the action I have taken in this matter. The consequence is that the proceedings of the court martial are altogether set aside, and no record of the conviction will remain in the regimental defaulters' book, and thus the prisoner is in the same position as if he had never been tried. With reference to the last two parts, I yesterday informed the hon. Member that the evidence adduced at the trial did not appear to me to warrant the conviction; and I think that, according to official and Parliamentary usages, I cannot be called upon to give him any further opinion. The proceedings of the court martial are now in my custody, and are open to the inspection of the hon. Member, or of any other hon. Member of the House.

CRIMINAL LAW—THE QUEEN *v.* CASTRO.—QUESTION.

Dr. KENEALY asked the Secretary of State for the Home Department, Whether, considering that evidence has been brought to his notice since the conviction of the claimant to the Tichborne estates in February 1874, and the fact that, according to usage, the sentence passed upon him for swearing that he was not Arthur Orton would expire on the 10th of August next; considering also the grave legal doubts that the Court had power to give more than one sentence for a supposed perjury, and that the jury have made certain statements as to the circumstances under which they found their verdict, he would advise Her Majesty to liberate the prisoner on the 10th of August next; and, if not, whether he will forthwith investigate the numerous matters to which his attention has been called in support of the identity of the claimant with Roger Tichborne; whether the Officers of the Treasury have made any report to the Home Secretary regarding the evidence of Captain Barry, of New Zealand; whether he will lay upon the Table of the House any Reports from the different governors of the various prisons in which the claimant has been confined tending to show that he cannot be Arthur Orton; whether it is true that Her Majesty's Ministers, or any of them, advised the Queen to send a telegram of sympathy to Lady Radcliffe, congratulating her upon the result of the trial; and, whether, as a matter of fact, the trial of the claimant has not cost the country more than a quarter of a million of money?

Mr. ASSHETON CROSS: Sir, I am afraid that my answer will not give more satisfaction to the hon. Gentleman than some of my previous ones; but I will answer the Question to the best of my ability. I see that he refers to grave legal doubts; but what they are is not quite clear from the terms of the Question. The legality of the sentence, I apprehend, is not a matter for the Secretary of State to try. The prisoner is in custody under a sentence of a Court of Justice, and unless that sentence is set aside by a competent authority, it is the duty of the Secretary of State to see that it is carried out, unless there are reasons to the contrary on other grounds. I can see no reason at the present moment, having carefully considered all the matters laid before me relating to the case in question, to alter the decision I originally came to. I have stated in the House, more than once, that it is not my intention to interfere with the execution and carrying out of that sentence. The Solicitor to the Treasury has had all the Papers relating to Captain Barry, and I am advised by him that there is no reason why any action should be taken by me with respect to these Papers. I am not aware whether any Reports have been received from the governors of prisons tending to show that the prisoner is not Arthur Orton. There are a great mass of Papers which I directed to be searched to-day; but nothing of the kind has been discovered in them, and that is the only information that I have received. I am not aware that any of Her Majesty's Ministers advised the Queen to send a telegram of sympathy to Lady Radcliffe, or to anyone else connected with this case. With regard to the last part of the Question, I must refer the hon. Member to the Secretary to the Treasury, who has been asked about the expense on several occasions. It does not come within my Department.

SOUTH AFRICA—THE ZULU WAR—THE LATEST TELEGRAM.—QUESTION.

Mr. W. E. FORSTER: I wish, Sir, to ask the Secretary of State for the Colonies, Whether he can give the House any information in regard to the peace negotiations in South Africa, beyond that which he gave very late last night; and, also, whether he has had his attention drawn to the statement in *The Daily Telegraph* of this morning, that Sir Garnet Wolseley had interfered with, or, it may be said, overruled, the action of Lord Chelmsford in regard to these negotiations?

Sir MICHAEL HICKS-BEACH: Yes, Sir, I am now in a position to give the House fuller information than I could give this morning, in reply to my hon. Friend the Member for Swansea (Mr. Dillwyn). It appears, from the telegrams I will read, that Sir Garnet Wolseley has taken a somewhat different course with regard to communications from Cetywayo to that taken by Lord Chelmsford. [For Telegrams, see *ante* pp. 731-732.]

PEACE PRESERVATION (IRELAND) ACT—SPECIAL POLICE TAXES.

QUESTIONS.

Major NOLAN: I beg to ask the Chief Secretary for Ireland, If certain properties have been exempted from the police tax imposed on districts in Connemara, and, if so, have these exemptions tended to raise the tax levied on other proprietors and tenants?

Mr. J. LOWTHER: The object which it is sought to attain by the imposition of a special police tax is to reach through their pockets those persons who are the aiders and abettors of, or sympathizers with, the outrages which have made it necessary to employ an additional force. In instances, however, in which it is manifest that no complicity or sympathy exists, such, for instance, as in the case of persons who have been themselves the object of attack or threats, it is usual to grant exemptions. In reference to the particular case of Connemara, some slight exemptions have been made in the direction I have indicated. Such exemptions made since the imposition of the tax will not increase its incidence in the case of the other parties who are liable, though it would be otherwise if the levy had not been already made. Two extra drafts of police have been charged for; two others will not be charged for, unless further outrage occurs.

Mr. PARNELL wished to know by what means the right hon. Gentleman ascertained that certain occupiers were wholly guiltless, and that certain others were not guilty for the purposes of the tax?

Mr. BIGGAR also wished to inquire in what way the right hon. Gentleman discovered who were sympathizers and who were not?

Mr. J. LOWTHER: The question of the hon. Gentleman has inverted the order of things. I would observe that the exemptions were the exception and the imposition of the tax the rule. In certain cases, where it is manifest that parties are not in any way responsible —as, for instance, the objects of attack, and others in the same category—they are exempted from contributing to the tax. The exemptions, I will add, are made on the report of the authorities employed in the locality.

Mr. CALLAN asked, under what Act the Government was authorized to make exemptions, and also whether Grand Juries had any power in the matter?

Mr. J. LOWTHER, in reply, said, that the exemptions were made under the Peace Preservation Act; but he was not prepared to give the section.

PARLIAMENT — ARRANGEMENT OF PUBLIC BUSINESS.—STATEMENT.

The CHANCELLOR of the EXCHEQUER said, he wished to make an appeal to those hon. Gentlemen who had Motions on the Paper for the Evening Sitting. The Business of the afternoon was the consideration of the Report of Amendment on the Army Discipline Bill. In the event of that not being concluded by 7 o'clock, he should be glad if hon. Gentlemen would postpone the Motions of which they had given Notice, so as to allow the present stage of the Army Discipline and Regulation Bill to be completed in the evening. If hon. Members would accede to this appeal, it might not be necessary to ask the House to sit on Saturday; otherwise, they might be under the necessity of making that request.

Mr. CALLAN said, he was the only Member present who had a Notice on the Paper. He was bound to say that, with every desire to assist the progress of Public Business, he would not feel it to be his duty to yield to the present request, unless the Government placed him in an equally favourable position for bringing the subject forward on some future occasion. The subject which stood in his name with reference to the release of Theodoridi was an important one, and one in regard to which he had three times unsuccessfully balloted for a place.

ORDER OF THE DAY.

ARMY DISCIPLINE AND REGULATION BILL—[Bill 245.]

(*Mr. Secretary Stanley, Mr. Secretary Cross, Mr. William Henry Smith, The Judge Advocate General.*)

FURTHER PROCEEDING ON CONSIDERATION AS AMENDED [17*th July.*]

Order read, for resuming Adjourned Debate on Amendment proposed to the Bill [17th July] (on Consideration, as amended); and which Amendment was, in page 2, line 19, to insert, after the word "enemy," the words "in such manner as to show cowardice." —(*Colonel Stanley.*)

Question again proposed, "That those words be there inserted."

Debate *resumed.*

Mr. E. JENKINS strongly objected to any addition to the offences liable to the death penalty. Those who objected to flogging would resist to the utmost any attempt to increase or to widen any of the offences now liable to that punishment. He would like to know what motive the right hon. and gallant Gentleman the Secretary of State for War had in proposing this vague Amendment?

Colonel STANLEY explained, that in military parlance misbehaving meant showing cowardice before the enemy; but, lest it should be taken in a more extensive sense, he proposed to limit it by inserting the explanatory words of the Amendment. Instead of extending the punishment of death, as the hon. Member supposed, it would go in the direction of further limiting its infliction.

Mr. O'DONNELL objected to the Amendment, and to the punishment of death being inflicted for an offence so vaguely described as "cowardice." He thought the Amendment should be amended, so as to show that cowardice would only be punished where it was demonstrated in some unmistakable manner. Imputations of individual cowardice were easy to be made when a scapegoat was wanted, and a mere act of inadvertence might be mistaken for cowardice. By the German Military Code, before a soldier could be convicted of the crime in question, he must have "shown cowardice by words or signs to induce his comrades to take flight."

Mr. H. SAMUELSON said, he would remind the hon. Member for Dungarvan (Mr. O'Donnell) that a soldier could not be convicted of cowardice until after full inquiry by a court martial, and it might fairly be left to that tribunal to determine whether the particular offence of cowardice was deserving of punishment by death or otherwise. The cowardice contemplated by the Amendment was evidently such as would be committed in the face of the enemy, and no one could doubt that it was the worst possible offence a soldier could commit.

Question put, and *agreed to.*

Mr. PARNELL rose to move the omission of sub-section 7 from the clause, making this offence punishable with death.

Mr. SPEAKER thereupon pointed out to the hon. Member that he could not do so. They had already dealt with the portion of the section to which the hon. Member referred, so far as to authorize the insertion of the words, "in such manner as to show cowardice." The sub-section must, therefore, stand, and could not be left out.

Mr. PARNELL said, he would have moved to omit several of the sub-sections; but after the adoption of the Resolution last night, he could only now, by the Rules of the House, attempt to modify them. He objected to making soldiers brave by the lash; and, for his own part, he believed that if a soldier preferred flogging to death, it would be that he might have the opportunity of shooting the officer who ordered it. He would move an Amendment to the clause to limit still further its operation, by the addition of the words, "by words or signs inducing his comrades to take flight," to the sub-section. He considered it was very desirable that some such words should be inserted, for he protested against the folly of shooting a young soldier who happened to show nervousness in his first battle, and who would soon get over it. He recollected that when he first addressed the House he felt very considerable nervousness. People's nerves were not always the same; but they were the most uncontrollable portions of physiology, and punishment ought not to be inflicted for what, after all, might be a matter of physical and nervous infirmity, as to which it was not in the power of a man to control his action. In submitting the Amendment, he was only following the analogy of the German Military Code. The hon. Member concluded his remarks without moving the Amendment to which he had referred, whereupon,

Mr. SPEAKER said, there was no Question now before the House. The hon. Member for Meath had said that he intended to conclude with an Amendment, but had sat down without doing so. By taking that course, he (Mr. Speaker) considered the hon. Member had shown great disrespect to the House.

Mr. PARNELL (coming up to the Chair with his Amendment): I beg to say, Sir, that when I rose I read out my Amendment, "by words or signs inducing his comrades to take flight." I supposed that, in doing so, I had done all that was necessary in moving it; but, of course, if I am wrong—for I am not much experienced in the proceedings of this House on Report of Committees—I shall, in future, comply with the

Form, and endeavour not to make a similar mistake again. I can only say that I had no intention of showing any disrespect whatever.

[The hon. Member then handed his Amendment to Mr. Speaker, saying that, if in Order, he now formally moved it.]

Amendment proposed, at the end of the last Amendment, to insert the words "by words or signs inducing his comrades to take flight."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

Colonel STANLEY, in opposing the Amendment, said, that all matters connected with the offence contemplated by the sub-section would have to be proved upon evidence before a court martial, and it might safely be left to the discretion of that tribunal to deal with them properly.

Question put, and *negatived.*

Mr. O'DONNELL moved, as an Amendment, in page 2, line 20, to insert, after the word "death," the following words:—

"Provided, That in the case of persons charged under sections two, six, and seven, serious loss to Her Majesty's forces has been proved to have been the consequence of this act."

His object was to limit the number of offences involving the penalty of death, which, under the clause, appeared to him to be of too general application. In moving the Amendment, he was only asking the House to follow the provisions of the German Military Code. In his opinion, leaving out of view altogether the powers it gave for flogging, the Military Code of England was the most bloody and barbarous in Europe; and he was, therefore, obliged to be very determined in his opposition to it, especially as some persons had attributed inhumanity to him and those with whom he had the honour to act. For himself, however, he must say that he denied *in toto* the imputation that he was less humane than any other hon. Member. He would conclude by moving the Amendment.

Amendment proposed,

In page 2, line 20, after the word "death," to insert the words "Provided, That in the case of persons charged under sections two, six, and seven, serious loss to Her Majesty's forces has been proved to have been the consequence of this act."—(*Mr. O'Donnell.*)

Question proposed, "That those words be there inserted."

Colonel STANLEY said, that he could not accept the Amendment, which laid down the principle that the heinousness of the offence should be measured by its consequences—a principle which was entirely foreign to the discipline of the English Army.

Captain MILNE-HOME also opposed the Amendment, and remarked that the idea of proposing it could only have originated in a general ignorance on the part of the hon. Member for Dungarvan (Mr. O'Donnell) of military matters and the exigencies of discipline. He (Captain Milne-Home) considered the argument of the right hon. and gallant Gentleman the Secretary of State for War conclusive upon the point.

Sir TOLLEMACHE SINCLAIR, in supporting the Amendment, said, that within the last day or two he had had an opportunity of speaking to a distinguished German officer, the Military *Attaché* at the German Embassy, who was in charge of a *corps d'armée* of 36,000 men during the whole of the Franco-German War, and who informed him that not a single German soldier in that corps had been shot for any offence whatever. He also stated that other Generals who held similar positions had had the same experience; so that in several *corps d'armée*, numbering between 100,000 and 200,000 men, it had not been found necessary to inflict death in a single instance. The same circumstance existed in connection with the French Armies; and he should, therefore, like to know why the same motives which guided and restrained Frenchmen, Germans, and Americans, should not control Englishmen in the Army? To say they would not was an aspersion upon our nation and Army. Why not, he asked, inflict flogging upon officers as well as men?

Mr. SPEAKER desired the hon. Baronet to confine himself directly to the Amendment. The question of flogging was not before the House.

Sir TOLLEMACHE SINCLAIR said, he had conceived that flogging was so mixed up with the death penalty that it might refer to it.

THE CHANCELLOR OF THE EXCHEQUER rose to Order, and said, that if the hon. Baronet was going to dispute Mr. Speaker's ruling, he apprehended Mr. Speaker would desire to submit the matter to the House.

MR. PARNELL denied that the hon. Baronet had contested Mr. Speaker's ruling.

MR. SPEAKER: I invited the hon. Member to apply himself to the Amendment before the House, and if he will do so there will be no interposition on my part.

SIR TOLLEMACHE SINCLAIR willingly bowed to Mr. Speaker's ruling, and though he had intended to address several observations to the House on the subject of flogging he would refrain from doing so. He supported the Amendment.

MR. BAILLIE COCHRANE asserted that though soldiers in Germany and France were not ordered by courts martial to suffer corporal punishment, they were often thoroughly well flogged and licked on active service.

MR. RYLANDS thought that if they were ever to get through the Session they must refrain from re-opening the discussion upon flogging. Indeed, after the decision last evening, no other course was open to them. He could not support the Amendment, because it limited to a great extent the action of Commanders in time of war.

MR. PARNELL said, when in Committee, he withdrew his Amendments limiting the cases in which flogging could be inflicted, on the distinct assurance that he would be able to discuss them when the Report was under consideration to-day. If the hon. Member for Burnley (Mr. Rylands) was satisfied with the victory of the Liberal Party last night, all he (Mr. Parnell) could say was, he sympathized with him.

MR. H. SAMUELSON could not regard the Amendment in any other light than as being opposed to equity and justice.

Amendment, by leave, *withdrawn.*

Clause, as amended, *agreed to.*

Clause 5 (Offences in relation to the enemy not punishable with death).

MR. PARNELL moved, as an Amendment, to omit sub-section 5, under which, he said, it would be possible for a court martial to sentence a newspaper correspondent to penal servitude for anything he wrote home to his newspaper. He could not imagine how any newspaper correspondent could, while this sub-section was maintained, perform his duty properly. He would be entirely at the beck and nod of any Commander, who might summon him before a court martial for anything that he wrote, and he might be sent to penal servitude.

Amendment proposed, in page 2, line 35, to leave out sub-section 5 of Clause 5.—(*Mr. Parnell.*)

Question proposed, "That sub-section 5 stand part of the Bill."

COLONEL STANLEY made no reply.

MR. BIGGAR asked why the right hon. and gallant Gentleman the Secretary of State for War was silent as to the views of the Government upon the question? For himself, he could see no reason for not accepting the Amendment.

MR. H. SAMUELSON suggested that the word "wilfully" should be introduced after the word "writing," in order that a man might not be punished for writing in innocence and without any wilful intent.

MR. SULLIVAN thought some words should be inserted, in order that protection should be afforded to newspaper correspondents against the irascibility of commanders whose conduct they might have criticized. Under the clause, the correspondent of *The Daily News* in South Africa might be brought under the action of a court martial. Newspaper correspondence was beneficial to the public, and he objected entirely to the action of this clause. He hoped the right hon. and gallant Gentleman the Secretary of State for War would state the views of the Government on the Amendment.

MR. RYLANDS hoped the clause would be modified, so as not to include newspaper correspondents. Occasionally, they could not help "spreading reports calculated to occasion alarm and despondency," and for that they might be subjected to severe punishment.

MR. CALLAN, on the other hand, hoped the Government would not accept the Amendment. He had no sympathy with sensational war correspondence. With all due respect for the great services rendered by Dr. Russell and other equally celebrated correspondents during late wars, he thought there were far superior considerations to the conventional respect paid to the newspaper correspondents at the seat of war. Commanders should have power to deter correspondents from writing sensational reports to increase the circulation of the papers rather than give true information. He wished, further, to point out that great injury had been done to the French cause during the Franco-German War in consequence of correspondents spreading reports calculated to cause unnecessary alarm.

COLONEL STANLEY said, it would not be right to strike out the sub-section; neither did he think these words were unduly harsh in an Article of War which had existed for a long time. Nothing could have been more unfavourable than reports sent home, at various times, from persons with the Army on foreign service; and the authorities had not exhibited any desire to take action, unless the effect of the reports was to produce alarm or despondency among the troops. If a man went about among them, saying—"We have got no supplies; they are thinking nothing about us at home; why don't you desert?"—there could hardly be a question but that he should be liable to severe punishment. Why was he to be exempted from the consequences merely because he put it in writing? The law had always been read and acted upon in the light of common sense. A man would be liable to punishment only on conviction by a court martial composed of officers who were gentlemen, and were sworn to try the facts. However strong the words might be, he did not believe that any practical application of them would be found to be unduly harsh.

MR. E. JENKINS urged that newspaper correspondents were now for the first time brought under military law, and pointed out that the old Mutiny Act had not referred to newspaper correspondents, and that the spreading of alarming reports which was made punishable under the old Act meant the spreading of these reports in the Army itself. Nothing should be done to restrain free and honest criticism of the operations of an Army and the conduct of its Generals in letters sent to journals at home. There was all the difference between the conduct described by the right hon. and gallant Gentleman the Secretary of State for War and the writing of such letters as Dr. Russell sent from the Crimea. Although those letters did undoubtedly create alarm and despondency at the time, yet he would remind the House that they ultimately led to great and much-needed reforms. The words, he thought, should be—"create alarm and despondency in the Army."

SIR TOLLEMACHE SINCLAIR said, as the right hon. and gallant Gentleman the Secretary of State for War seemed only to be afraid of the despondency which might be created amongst the soldiers, he would propose that the words, "amongst the troops in the field," be inserted in the section.

MR. PARNELL said, that his proposal to omit the sub-section was, perhaps, too sweeping, and, in order to allow the Amendment just suggested to be moved, he would ask leave to withdraw the Motion. [*Cries of* "No, no!"]

SIR TOLLEMACHE SINCLAIR again rose to make some remarks, when

MR. SPEAKER ruled that he could not do so, as he had already addressed the House.

Question put.

The House *divided*:—Ayes 223; Noes 42: Majority 181.—(Div. List, No. 174.)

SIR TOLLEMACHE SINCLAIR moved, as an Amendment, to add to the sub-section the following rider, after the word "or"—"insubordination: Provided such reports are wilfully spread among the troops in the field."

MR. SULLIVAN seconded the Amendment.

Amendment proposed,

In page 2, line 37, to insert, after the word "or," the words "insubordination: Provided such reports are wilfully spread among troops in the field."—(*Sir Tollemache Sinclair.*)

Question proposed, "That those words be there inserted."

COLONEL STANLEY said, the words proposed were not free from objection. This section had existed for a considerable time in the old Act, and it had never been found to operate prejudicially. Its wording showed that it could not apply to newspaper correspondents.

MAJOR NOLAN observed, that the fact that this provision had existed for some time could hardly be, because, on referring to the old Act, he found that the words "in the vicinity or rear of the Army" were in the clause, and this continued certainly as late as 1871. Correspondents did not publish their letters in the vicinity or rear of the Army.

MR. E. JENKINS thought the Government might agree to put in these words, which formerly were in the old Act. The creation of alarm and despondency at home was never intended to be punished by the Mutiny Act. Newspaper articles from South Africa might have great effect in this country, but could have none on the Army there.

MR. ANDERSON observed, that this clause, as it stood, seemed intended to catch newspaper correspondents. He should like to know, if that provision had been in existence, what would have happened to the correspondent of *The Standard* with General Roberts in the Khost Valley? Instead of sending him to the rear, they would have tried him by court martial and given him penal servitude. All that that correspondent was doing was informing the people of this country of the barbarous and cruel manner in which that officer was destroying peaceful villages in the country which the British troops had invaded, and through which they were carrying fire and sword, and behaving altogether in a manner opposed to the principles of civilized warfare. This newspaper correspondent did no more than tell the people of this country of the manner in which the war was going on. But in the future the British public must expect no impartial accounts, nothing but what a commanding officer might allow.

Question put.

The House *divided:* — Ayes 66; Noes 213: Majority 147.—(Div. List, No. 175.)

MR. SULLIVAN, in moving the insertion, in line 37, of a Proviso limiting the operation of the sub-section to cases in which the offence consisted in spreading reports calculated to create despondency, alarm, or "desertion in the vicinity or in the rear of the Army" said, the words were taken from the Article of War upon which the right hon. and gallant Gentleman the Secretary of State for War declared the sub-section to have been based. Without the addition of the words which he desired to see inserted, the clause would enable an officer to interfere when interference was not required with a member of the Press in the legitimate exercise of his duties.

Amendment proposed,

In page 2, line 37, to insert, after the word "or," the words "desertion: Provided, That the offence consists in spreading such reports in the vicinity or rear of the Army."—(*Mr. Sullivan.*)

Question proposed, "That those words be there inserted."

SIR GEORGE CAMPBELL supported the Amendment. He hoped the Government would give way, seeing that the Amendment merely maintained the present law and practice.

MR. O'DONNELL hoped the House would stand firm and resist to the last the ill-concealed object of the Government to terrorize over the Press.

COLONEL STANLEY asked the House to reject the Amendment, which was exactly similar to the one which had just been negatived by the House. It should be observed that the Article of War upon which the clause was based did not require that the reports should be spread upon active service, whereas the clause before the House related only to cases occurring on such service.

MR. E. JENKINS approved the Amendment. The clause, as it stood, would disadvantageously affect the position of newspaper correspondents. Those gentlemen had often done good service by exposing the rottenness of the Army, and they ought not to be brought within the operations of the clause.

MAJOR NOLAN regarded the clause as directed against newspaper correspondents.

SIR HENRY JAMES deprecated the discussion, as going again over ground which had already been discussed in Committee. The clause would put newspaper correspondents in no worse position than they would be placed in by the Articles of War. They were formerly under the arbitrary power of the Commander of the Forces in the field. This Bill protected them by its definite provisions; and it was, therefore, necessary there should be some equivalent provision against their abusing their position, and doing harm to the Army.

MR. RYLANDS thought the right hon. and gallant Gentleman the Secretary of State for War had failed to show any reasonable ground for altering the old Articles of War in regard to newspaper correspondents. Without some proviso, such as the one under notice, their position would be seriously affected.

Sir TOLLEMACHE SINCLAIR said, the hon. and learned Member for Taunton (Sir Henry James) seemed to forget that some of these newspaper correspondents were officers serving in the Army.

Question put.

The House *divided:* — Ayes 59; Noes 231: Majority 172.—(Div. List, No. 176.)

Clause *agreed to.*

Clause 6 (Offences punishable more severely on active service than at other times).

Mr. O'DONNELL moved, in page 3, line 2, to leave out sub-section 1, by which the punishment of death was incurred by any soldier who, in search of plunder, left his commanding officer. In the German Army, the punishment for that offence was three years' imprisonment, and yet the German Military Code was the severest in Europe. He did not mean to say that he would divide the House, for he did not want to waste time —[*Laughter*]— but he was prepared to challenge, by way of protest, every case in which this Bill proposed a severer punishment than was contained in the German Code for the same offence.

Amendment proposed, in page 3, line 2, to leave out sub-section 1 of Clause 6.—(*Mr. O'Donnell.*)

Question proposed, "That sub-section 1 stand part of the Bill."

Mr. BIGGAR, in seconding the Amendment, asked how it was to be proved that a man left his commanding officer in search of plunder? The proposition of the Government was utterly unreasonable, and, therefore, he supported the Amendment.

Question put, and *agreed to.*

Mr. O'DONNELL moved, as an Amendment, in page 3, line 4, to leave out sub-section 2, by which a soldier was liable to the punishment of death if, without the orders of his superior officer, he left his guard, picket, patrol, or post. In the German Code these offences were punished with various kinds of arrest, or, at the outside, with two years imprisonment, unless where some distinct damage to the Army was the result.

Amendment proposed, in page 3, line 3, to leave out sub-section 2 of Clause 6.—(*Mr. O'Donnell.*)

Question proposed, "That sub-section 2 stand part of the Bill."

Mr. SULLIVAN supported the Amendment. His hon. Friend the Member for Dungarvan (Mr. O'Donnell) had said that he was indisposed to take up the time of the House in dividing upon these matters. [*Laughter, and cries of* "Oh!"] If that was the way in which the announcement of the hon. Member was to be received—the announcement that he would endeavour to facilitate the Business of the House, by not taking Divisions, but by recording his protest against the death sentence—he himself would challenge the proposition of the Government in a matter so perfectly reasonable, so that, at any rate, there might be a record of the names.

Question put.

The House *divided:* — Ayes 245; Noes 17: Majority 228.—(Div. List, No. 177.)

Mr. O'DONNELL moved, in page 3, line 8, the omission of sub-section 5, imposing the death or lesser penalty for impeding or refusing to assist the provost marshal or any officer in the execution of his duty. He remarked that under the sub-section a man might be shot for refusing to flog a comrade who might be his own brother.

Amendment proposed, in page 3, line 8, to leave out sub-section 5 of Clause 6. —(*Mr. O'Donnell.*)

Question put, "That sub-section 5 stand part of the Bill."

The House *divided:*—Ayes 233; Noes 16: Majority 217.—(Div. List, No. 178.)

Mr. O'DONNELL, in moving, in page 3, line 12, to omit sub-section 6, making it an offence to do violence to a person bringing supplies, or injury to the property or person of a resident in the country, said he did so to show that those with whom he was acting did not prefer the bullet to the lash, as had been asserted. When these death clauses had been disposed of, he would make no further objection to the progress of the Bill, except on Clause 44. These offences were not in the German Code; and though, undoubtedly, it contained many offences deserving death, the phraseology of the sub-section was so large and so vague that all degrees of offences might be included in it, and the effect might be that persons guilty of the minor degrees might not be actually shot, but under the terms of the section could be shot, and, of course, could be flogged. He would prove that the majority was a shooting majority as well as a flogging majority, and he would confine his protests to offences visited with the death penalty.

Amendment proposed, in page 3, line 12, to leave out sub-section 6 of Clause 6.—(*Mr. O'Donnell.*)

Question proposed, "That sub-section 6 stand part of the Bill.

MR. PARNELL taunted the Government with having a majority as favourable to the bullet as the lash.

Question put.

The House *divided*:—Ayes 229; Noes 12: Majority 217.—(Div. List, No. 179.)

MR. O'DONNELL moved the omission, in page 3, line 16, of sub-section 6, of the words "breaks into any house or other place in search of plunder." He did so because it was very wide in its terms and would easily expose a man to be flogged, if not to be shot. He contended that the Government should more clearly define what were the offences intended to be included under the sub-section. The punishment for this offence, unaggravated by any other circumstances, was imprisonment under the German Code.

Amendment proposed, in page 3, line 16, to leave out sub-section 7 of Clause 6.—(*Mr. O'Donnell.*)

Question put, "That sub-section 7 stand part of the Bill."

The House *divided*:—Ayes 211; Noes 10: Majority 201.—(Div. List, No. 180.)

And it being ten minutes before Seven of the clock, further Consideration of the Bill, as amended, stood adjourned till *this day.*

It being five minutes to Seven of the clock, House suspended its Sitting.

House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE CHANCELLOR OF THE EXCHEQUER appealed to the hon. Member for Oldham (Mr. Hibbert), who had a Motion on the Paper for the Amendment of the Married Women's Property Acts, 1870 and 1874, and other hon. Members who had Motions on the Paper, to refrain from bringing them forward, so that progress should be made with the Army Discipline and Regulation Bill, which it was of great importance should be concluded that evening, or, at the latest, on the following day.

MR. HIBBERT said, that he was left in a position of some difficulty, for he had balloted ever since Easter without being able to bring forward until now his Motion with respect to the grievances which married women lay under with regard to their property, for under the Acts of 1870 and 1874 there had arisen so many cases that he hoped the hon. and learned Gentleman the Attorney General would see the necessity for amending the law. He (Mr. Hibbert) would give way now, feeling the difficulty of the Government; but he hoped the Government would next Session give him an opportunity of bringing forward his Motion.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

ARMY DISCIPLINE AND REGULATION BILL—[BILL 245.]

(*Mr. Secretary Stanley, Mr. Secretary Cross, Mr. William Henry Smith, The Judge Advocate General.*)

FURTHER PROCEEDING ON CONSIDERATION AS AMENDED. [18*th July.*]

Bill, as amended, *further considered.*

Clause 6 (Offences punishable more severely on active service than at other times).

Colonel STANLEY moved an Amendment, in page 3, line 39, at end of clause, rendering an officer convicted by court martial liable to be cashiered, and a soldier to imprisonment, for committing any of the following offences :—

> "Discharging firearms, drawing swords, beating drums, making signals, using words, or by any means whatever, negligently occasions false alarms in action, on the march, in the field, or elsewhere; or (2) makes known the parole or watchword to any person not entitled to receive it; or, without good and sufficient cause, gives a parole or watchword different from what he received."

The right hon. and gallant Gentleman explained that he proposed the Amendment in pursuance of an undertaking given by him in Committee.

Amendment proposed,

> In page 3, line 39, at the end of Clause 6, to insert the words "Every person subject to military law who commits any of the following offences (that is to say) :—
>
> (1.) By discharging firearms, drawing swords, beating drums, making signals, using words, or by any means whatever, negligently occasions false alarms in action, on the march, in the field, or elsewhere; or
>
> (2.) Makes known the parole or watchword to any person not entitled to receive it; or, without good or sufficient cause, gives a parole or watchword different from what he received,
>
> shall on conviction by court martial be liable, if an officer, to be cashiered, or to suffer such less punishment as is in this Act mentioned, and if a soldier, to suffer imprisonment, on such less punishment as is in this Act mentioned."—(*Colonel Stanley.*)

Question proposed, "That those words be there inserted."

Mr. PARNELL, believing that it was not fair to inflict imprisonment with hard labour for the offence of negligence simply, moved to amend the proposed Amendment by adding the words "without hard labour."

Amendment proposed to the said proposed Amendment, to insert, after the word "imprisonment," the words without hard labour."—(*Mr. Parnell.*)

Colonel STANLEY thought they might safely trust to the discretion of the court martial, whether the punishment should or should not be accompanied with hard labour. He was sure they would not inflict the punishment unless necessity called for it.

Question, "That the words 'without hard labour' be there inserted," put, and *negatived.*

Original Question put, and *agreed to.*

Clause, as amended, *agreed to.*

Clause 9 (Disobedience to superior officer).

On the Motion of Colonel Stanley, Amendment in page 4, line 42, after the word "officer," by inserting the words "in such a manner as to show a wilful defiance of authority."

Clause, as amended, *agreed to.*

Clause 19 (Drunkenness).

Major NOLAN moved, as an Amendment, in page 8, line 25, to leave out the words "whether on duty or not," with the object of separating the punishment for drunkenness off duty from that for drunkenness on duty. As regarded the latter, he proposed to leave the Bill untouched; and with respect to the former, he desired to make the degree of punishment less severe than it was at present. A soldier would, under the Act, be liable to imprisonment for the first time he was found drunk off duty, though, practically, he was only admonished for the first two or three times. It was left quite uncertain when he would be punished, and that uncertainty itself was an evil which should be remedied. He regretted that several hon. Gentlemen on the opposite side, who had promised to support the Amendment, were not, owing to the matter coming on suddenly, in their places.

Amendment proposed, in page 8, line 25, to leave out the words "whether on duty or not."—(*Major Nolan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

Colonel STANLEY thought it would be unadvisable to accept the Amendment. The matter had been carefully looked at; and it had been considered necessary to put the offence of drunkenness in the form—he admitted the somewhat complicated form—in which it appeared in the present Bill; because, as the law at present stood, the Mutiny Act and the Articles of War were not at one on the point. The Commander-in-

Chief was, in all these cases, the Court of First Instance, and it was within his discretion to decide whether or not each particular offence of this character was grave enough to be sent for trial. He could not, therefore, accept the Amendment; and he believed that the proposals he had placed on the Paper would, practically, meet the views of the hon. and gallant Gentleman. The amount of difference between them was extremely small; and he trusted, after his explanation, the Amendment would be withdrawn.

Question put,

The House *divided*:—Ayes 82; Noes 25: Majority 57.—(Div. List, No. 181.)

Clause *agreed to.*

Clause 42 (Offences punishable by ordinary law).

MR. PARNELL moved, as an Amendment, at the end of clause, to add the following Proviso:—

"That, where practicable, every person subject to military law who commits any of the offences mentioned in Schedule of this Bill shall be proceeded against before a civil court of competent jurisdiction, and, on conviction, shall be punished in accordance with the provisions of the Statute or Statutes dealing with such offence."

Amendment proposed,

At the end of Clause 42, to insert the words "Provided, That, where practicable, every person subject to military law who commits any of the offences mentioned in Schedule of this Bill shall be proceeded against before a civil court of competent jurisdiction, and, on conviction, shall be punished in accordance with the provisions of the statute or statutes dealing with such offence."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

COLONEL STANLEY pointed out that this was already provided for in the last section of the clause—"when in Her Majesty's Dominions;" and he did not think it was advisable for them to go any further than that.

Amendment, by leave, *withdrawn.*

MR. PARNELL moved to insert an Amendment, the object of which, he said, was to render sub-section *b* more intelligible. Sub-section *b* provided that a person subject to military law when in Her Majesty's Dominions might be tried by any competent civil court for any offence for which he would be triable if he were not subject to military law. He proposed, in page 17, line 31, to strike out the word "may" in this sub-section, and to substitute for it the words "shall when practicable."

Amendment proposed,

In page 17, line 31, to leave out the word "may," and insert the words "shall when practicable."—(*Mr. Parnell.*)

Question proposed, "That the word 'may' stand part of the Bill."

THE ATTORNEY GENERAL (Sir JOHN HOLKER) opposed the Amendment, because, instead of improving the clause, it would only introduce into it fresh uncertainty and difficulty.

Question put, and *agreed to.*

Clause *agreed to.*

Clause 45 (Scale of punishments by courts martial).

MR. SULLIVAN moved an Amendment, with the view of abolishing distinction of punishment between officers and private soldiers.

Amendment proposed, in page 18, line 20, to leave out the words "in the case of officers."—(*Mr. Sullivan.*)

Question proposed, "That the words proposed to be left out stand part of the Bill."

COLONEL STANLEY said, as a general rule, officers and men were on the same footing with regard to civil crimes; but with regard to military offences it was different, and he should oppose the Amendment.

MR. SULLIVAN said, he would not put the House to the trouble of dividing.

Amendment, by leave, *withdrawn.*

Other Amendments made.

MR. H. SAMUELSON moved an Amendment in page 19, line 24, in order to except Cyprus in time of peace from the possibility of being considered as a "foreign country in our military occupation," in which the punishments of death or flogging could be inflicted for certain military offences.

Amendment proposed,

In page 19, line 24, to insert, after the word "service," the words "except in Cyprus in time of peace."—(*Mr. H. Samuelson.*)

Question proposed, "That those words be there inserted."

THE ATTORNEY GENERAL (Sir JOHN HOLKER), in opposing the Amendment, said, that no corporal punishment was inflicted except on active service; and that, therefore, troops serving in Cyprus in time of peace would not be liable to it. He saw no difficulty in construing the paragraph. Active service meant the presence of a soldier—

"With a force engaged in operations in a country or place wholly or partly occupied by an enemy"

—a condition certainly not fulfilled in the case of service in Cyprus. There could be no necessity for the Amendment, as our occupation of Cyprus was not of a hostile character.

SIR HENRY JAMES could not altogether concur with the hon. and learned Gentleman opposite. In his opinion, we were in military occupation of the Island. Further than that, the Bill was to be interpreted by soldiers and not by lawyers; and it should, therefore, be most explicit in its terms.

COLONEL STANLEY observed, that the highest legal authorities had held that the words of the Bill were consistent with the interpretation placed on them by his hon. and learned Friend the Attorney General; and he (Colonel Stanley) fully agreed with his hon. and learned Friend's opinion that the Amendment was unnecessary.

Amendment, by leave, *withdrawn.*

Other Amendments made.

MR. H. SAMUELSON moved to add at the end of the clause a Proviso to the effect that no corporal punishment should be inflicted on soldiers whilst in friendly occupation of foreign countries.

Amendment proposed,

In page 19, line 34, to insert, after the word "days," the words "Provided, That no corporal punishment shall be inflicted on soldiers while in friendly occupation of a foreign country."—(*Mr. H Samuelson.*)

Question proposed, "That those words be there inserted."

COLONEL STANLEY said, he could not accept the Amendment, because the words were not required, as corporal punishment could not be inflicted, except on active service, and soldiers in friendly occupation were not on active service.

Question put, and *negatived.*

MR. O'SHAUGHNESSY (for Mr. E. JENKINS) moved the addition of the following Proviso—

"That in time of peace within the United Kingdom no officer or soldier shall be kept in arrest and without trial for a longer period than eight days, without the written order of the Commander in Chief expressing the grounds on which the continuation of the arrest and delay of trial are ordered."

Amendment proposed,

In page 21, line 16, to insert, after the word "custody," the words "Provided, That in time of peace within the United Kingdom no officer or soldier shall be kept in arrest and without trial for a longer period than eight days, without the written order of the Commander in Chief expressing the grounds on which the continuation of the arrest and delay of trial are ordered."—(*Mr. O'Shaughnessy.*)

Question proposed, "That those words be there inserted."

COLONEL STANLEY said, the Amendment was wholly unnecessary, as its substance was contained in Clause 6.

Amendment, by leave, *withdrawn.*

MR. PARNELL moved the insertion, at end of Clause 45, after sub-section 8, of words providing that a Volunteer should not be liable under any circumstances to be sentenced by court martial to penal servitude, imprisonment, or corporal punishment. The hon. Member said, that by Clause 164 Volunteers were made subject to the same law on active service as the Regular Forces, and he thought they ought not to be subject to any but the civil law.

Amendment proposed,

In page 20, at the end of Clause 45, to insert the words "A volunteer shall not be liable to be sentenced by a court martial under any circumstances to the punishment of penal servitude, imprisonment with hard labour, or corporal punishment."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

COLONEL STANLEY did not think that these words were necessary, because it would be borne in mind that words had been inserted in the Bill to the effect that a Volunteer when on active service should not come under severer punishment without having fully understood, before he incurred that liability, that he did so incur it. It was not desirable to make distinctions between different branches of the Service as suggested by the Amendment.

SIR GEORGE CAMPBELL supported the Amendment, so far as regarded corporal punishment, and hoped the Government would protect a Volunteer soldier from liability to the very degrading punishment of the lash. It was really quite unnecessary, for they had not to deal with desperate, unwilling soldiers in the Volunteers; and, on the other hand, this liability might deter many from giving their aid as Volunteer soldiers.

MR. A. H. BROWN regarded the Amendment as unnecessary.

MR. SULLIVAN moved to amend the Amendment so that the Volunteers could only be exempted from corporal punishment.

Amendment proposed to the said proposed Amendment, to leave out the words "the punishment of penal servitude, imprisonment with hard labour, or."—(*Mr. Sullivan.*)

MR. PARNELL expressed his willingness to alter his Amendment so as only to exempt Volunteers from being sentenced to corporal punishment.

Question, "That the words proposed to be left out stand part of the proposed Amendment," put, and *negatived.*

MR. MONK supported the Amendment with that limitation.

MR. MORGAN LLOYD also supported the exemption of corporal punishment only.

SIR CHARLES RUSSELL said, he had always heard the Volunteers say that if they were ever called upon to serve in the field they would like to be placed on exactly the same footing as the Regular Army. He was quite sure they would never be subjected to corporal punishment, for he believed they would never put themselves in the position to require its infliction.

MR. H. SAMUELSON strongly demurred to the opinion of the hon. and gallant Baronet the Member for Westminster (Sir Charles Russell). He doubted whether men of education in the Volunteer Force would be content to be placed on the same level as what had been called gaol-birds.

MR. ASSHETON CROSS said, he was sure that if the Volunteers never committed the offence for which the punishment could be inflicted they would never receive it; but if they did commit such an offence, then they deserved it.

MR. SULLIVAN characterized this as a piece of sophistry. ["Oh!"] The right hon. Gentleman had denied there was any force in it, when others wished to make officers liable to the same punishments as soldiers.

SIR HENRY JAMES supported the Amendment, saying there had been no reason for exempting officers from the liability to corporal punishment which did not apply equally to the case of Volunteers.

SIR WILLIAM HARCOURT urged that the Amendment was worthy of the favourable consideration of the Government. It had been an argument used by hon. Members on the Ministerial side of the House, in support of the lash, that it was a necessity in consequence of the bad class of men that got into the Army; but that with a better class of men it might be done away with. Now, they could not hope to get a better class of men in their Army than the Volunteers; and, therefore, if the Amendment were rejected, the Government would be declaring that, no matter how good a class of men the Army might contain, the lash should not be abolished. He also charged the Government with inconsistency in resisting the Amendment. On the previous evening, they stated there would be no necessity for flogging if the material of our Army was of the same class as that of Germany, while they now proposed to flog the Volunteers, who were soldiers of an *élite* class.

MR. BIRLEY reminded the hon. and learned Member who had last spoken (Sir William Harcourt) of the inconvenience of having in the field an Army subject to two different systems. There would be some force in the argument of the hon. and learned Gentleman if all our Forces were of the same class as the Volunteers; but while an Army was composed of different classes it was necessary they should be all under the same law. It was to be hoped the Government would not accept the Amendment.

MR. RYLANDS said, it was useless to remind the Government of their inconsistency. The fact was that flogging had become the great Conservative Party cry. The Government stuck to flogging, simply because they had nailed their colours to the mast, and were determined to abide by it.

Mr. W. E. DENISON was a Volunteer officer of 20 years' standing, and he knew that the feeling of Volunteers was that there should be no distinction between the treatment of Volunteers on active service and ordinary soldiers.

Mr. WHITWELL would oppose the clause, as he disapproved altogether of flogging, and more especially for Volunteers.

Colonel BOUSFIELD considered that the same punishment in the field should apply to all branches of the Service. He held that if a Volunteer, when brigaded with the Regulars, committed an offence to which military law attached flogging, he ought to be flogged, if he deserved it.

Question put,

"That the words 'a volunteer shall not be liable to be sentenced by a court martial under any circumstances to corporal punishment' be there inserted."

The House *divided:*—Ayes 60; Noes 143: Majority 83.—(Div. List, No. 182.)

Mr. PARNELL moved the insertion, at end of Clause 45, of the sub-section—

"'A female camp-follower shall not be liable to be sentenced by court martial to corporal punishment."

Amendment *agreed to;* sub-section *inserted* accordingly.

Mr. PARNELL, in the hope that the right hon. and gallant Gentleman the Secretary of State for War would agree to some limitation of the number of times a soldier should be liable to corporal punishment, moved the addition of the following sub-section at the end of Clause 45:—"A soldier shall not be sentenced to corporal punishment more than once in six months."

Amendment proposed,

At the end of Clause 45, to insert the words "A soldier shall not be sentenced to corporal punishment more than once in six months."—(*Mr Parnell.*)

Mr. NEWDEGATE opposed the Amendment, on the ground that it appeared to reverse the principle of the ordinary criminal law of the country.

Colonel STANLEY said, he had expressed his opinion on the Amendment of the hon. Member for Meath (Mr. Parnell) only a few days ago, and should, therefore, not occupy the time of the House with any remarks. It was impossible to insure that a man would not commit a crime twice within a period of six months, and, therefore, he could not assent to the proposed Amendment.

Question, "That those words be there inserted," put, and *negatived.*

Mr. PARNELL said, that there had been evidence presented to the Committee, during the discussion upon the Bill, that no uniformity existed with regard to the cats used throughout the Army and the Navy. His opinion was, therefore, that one pattern should be adopted, and that it should be without knots. It would be remembered that, although it had been stated that there were no knots in the Admiralty cats, it had turned out that most of them had knots. He trusted the Government would show their sense of the evidence which had been adduced with reference to this point, by agreeing to his Motion to add the following sub-section at the end of Clause 45:—

"The instrument to be used in the infliction of corporal punishment shall be a cat-o'-nine-tails according to the sealed pattern approved by the First Lord of the Admiralty, dated the seventh day of December, one thousand eight hundred and seventy-seven, from the Royal Marine Office, and endorsed W. J. Rodney, D.A.G., but without knots."

Amendment proposed,

At the end of Clause 45, to insert the words "The instrument to be used in the infliction of corporal punishment shall be a cat-o'-nine-tails according to the sealed pattern approved by the First Lord of the Admiralty, dated the seventh day of December, one thousand eight hundred and seventy-seven, from the Royal Marine Office, and endorsed W. J. Rodney, D.A.G., but without knots."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

Sir WILLIAM HARCOURT said, he did not think the Amendment appropriate to the Act; but considered that it would be satisfactory to have some assurance that the character of the punishment should not differ as between the Army and the Navy. As he understood the matter, a certain cat was used in the Navy without knots, and that in the Army, and for the Marines when they were on shore, a knotted cat was in use. He could see no reason why the punishment in the Army should be more severe than it was in the Navy. Why should a Marine when on board ship be punished with one instrument, and when on land with another? There was obviously no reason for this difference, and he thought it would be well that equality of punishment should be assured.

COLONEL STANLEY replied, that he had previously promised that a pattern should be sealed, in order that there might be uniformity with regard to the instruments of punishment. He agreed with the hon. and learned Member for Oxford (Sir William Harcourt) that it would not be well to insert these matters in an Act of Parliament. With respect to uniformity of punishment between the two Services, he could not, of course, speak off-hand as to what might be done by the Admiralty, but would confer with his right hon. Friend (Mr. W. H. Smith) on the question. There was, he thought, a good deal in the suggestion of the hon. and learned Member, although he could not give a positive promise at that moment in the direction indicated.

MR. MACDONALD said, there had been much confusion in the minds of the Members of the Government as to the "cats" used in the Navy. That was strange, seeing that they had two hon. and gallant Admirals at hand to inform them on the subject, one being the fog-horn of the Government—the hon. and gallant Member for Stirlingshire (Sir William Edmonstone)—and the other the amiable figure-head of the Treasury Bench—the hon. and gallant Admiral the Member for Portsmouth. [SIR JAMES ELPHINSTONE: I am not an Admiral.] Those hon. and gallant Members could, at least, have given a clear explanation upon this point to the First Lord of the Admiralty, who would thereby have been freed from the miserable plight he was put in at the moment. The punishment should be equally gentle for both soldiers and sailors, and the most gentle "cat" he (Mr. Macdonald) knew was the Army cat. He denied, however, that the cat produced was the cat used in the Navy at the present time. He had, himself, when on the Pacific Coast, only about three years ago, been assured by an officer in Her Majesty's Fleet that the cat used on board the ships on the station had nine tails, and nine knots upon each tail, whereas the Admiralty cat produced had no knots. If there were to be knots at all, they should be used equally for the soldier and for the sailor. He trusted that the hon. Member for Meath (Mr. Parnell) would press his Amendment to a Division.

MR. CALLAN reminded the House that an assurance had been given, in the course of the preceding discussions, that the cat in use in the Army had no knots in it; but that it had turned out that the cat in use in the Army and the Royal Marines on shore was knotted. The only sealed cat in the Service was the "Marine cat," and the hon. Member for Meath (Mr. Parnell) wished that cat to be used in the Army, but without knots. He trusted his hon. Friend would persist in dividing the House, until he had ascertained who were in favour of knots and who were against them.

SIR CHARLES W. DILKE moved the omission from the proposed Amendment of the words—

"A cat-o'-nine-tails according to the sealed pattern approved by the First Lord of the Admiralty, dated the seventh day of December, one thousand eight hundred and seventy-nine, from the Royal Marine Office, and endorsed W. J. Rodney, D.A.G., but"

Amendment proposed to the said proposed Amendment,

To leave out all the words after the words "shall be," in line 1, to the word "but," in line 5, inclusive.—(*Sir Charles W. Dilke.*)

SIR HENRY HAVELOCK said, the Amendment went in the direction which he himself had indicated as desirable, not with the object of diminishing the punishment, but to prevent its being left in the hands of individuals to be made more severe in one case than in another. It was, in his opinion, perfectly sensible and perfectly practicable. He could not see, if corporal punishment was going to be maintained, why the Act should not regulate the character of the instrument by which it would be inflicted. He felt it was right to insist, as the hon. Member for Meath (Mr. Parnell) had insisted, that, during the short time that in his opinion this punishment would endure, it should be regulated both on sea and on land in a manner which would prevent its being varied at the caprice of individuals.

SIR GEORGE CAMPBELL felt himself bound to vote for the Amendment. He thought the House was entitled to have an assurance from the Government that the instrument of punishment used in the Army would not be more severe than that used in the Navy.

Mr. CHAMBERLAIN said, everybody had admitted that the "Marine cat" was the most severe of all the instruments exhibited to hon. Members of the House. It was not pretended that the Army required a more severe instrument than the Navy, and the instrument for the Navy had been submitted to, and approved by, the First Lord of the Admiralty. What possible reason, therefore, could there be that the right hon. and gallant Gentleman the Secretary of State for War should not tell the House that he was prepared to accept that instrument?

Mr. BIGGAR said, that notwithstanding the extent of the humanity claimed by right hon. Gentlemen on the Treasury Bench, they always seemed to hold out for the extreme amount of torture that could by any possibility be inflicted. The right hon. and gallant Gentleman the Secretary of State for War had assured hon. Members, when the Bill was in Committee, that he would make the punishment as moderate as possible; but he (Mr. Biggar) thought it might be assumed that it was intended to make the instrument of torture quite as severe as that used heretofore in the Army. Thanks to the hon. Member for Dundalk (Mr. Callan), the House had gained an insight into the way affairs of this kind were manipulated, and one result of the hon. Member's inquiry had been that the right hon. Gentleman the First Lord of the Admiralty had been constrained to come forward and apologize for having misled the Committee as to the facts relating to the cats. If some stipulation were not now made, when the Mutiny Bill of next Session was brought forward, another debate would certainly take place upon the subject. He would suggest that the Government should adopt for use in the Army the cat without knots, with the object of making the punishment as moderate as possible.

Mr. PARNELL said, he was ready to accept the modification of the Amendment as proposed by the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke); but, in doing so, wished to point out the mistake which had been made in postponing the consideration of these matters until the Report. The Government, now feeling that they could pass the Bill through the House by a majority, refused the slightest concession; whereas, had this Amendment been proposed in Committee, he (Mr. Parnell) felt sure that it would have been accepted. The question was this. The right hon. and gallant Gentleman the Secretary of State for War had stated that the Army cat had no knots. It had since appeared that the Army cat had knots. All that was asked by the Amendment was, that he should adopt the cat without knots, and make the pattern uniform throughout the Army. If this was not agreed to, it would go forth to the country that the Secretary of State for War insisted upon retaining, as the instrument of torture, a cat that had knots, and which might be of any pattern that the commanding officer might think proper.

Question, "That the words proposed to be left out stand part of the Question," put, and *negatived.*

Main Question, as amended, proposed,

"That the instrument to be used in the infliction of corporal punishment shall be without knots."

Mr. SULLIVAN reminded the hon. Member for Meath (Mr. Parnell) that he had warned him not to give way to the blandishments of the Chancellor of the Exchequer, and yield the advantage they had in Committee. However, they could renew the struggle next spring, when the Continuance Bill came up. He had no doubt that the Government were influenced to maintain the lash by a feeling of pride; but could not help thinking that they would next year generously abandon it. It seemed to him better that the Amendment should be withdrawn entirely, and that a statutory definition of the instrument should be given in the Schedule. It was surely anomalous to deal with the subject of punishment without attempting to define the instrument by which it was to be inflicted. He suggested that the lashes should not exceed 12 inches in length, and that the handle should not exceed eight inches in length and four ounces in weight.

Question put.

The House *divided:*—Ayes 54; Noes 137: Majority 83.—(Div. List, No. 183.)

Mr. PARNELL moved as an Amendment that, at the end of Clause 45, the following sub-section be inserted—

(Manner of infliction.)

"Sentences of corporal punishment shall be inflicted in manner directed by rules, to be issued by a Secretary of State, and care shall be taken that the infliction of such punishment shall not be continued after the skin is broken, or blood drawn, and that no flogging in front is permitted, and that if the infliction of a sentence of corporal punishment is stopped for any cause, before completion, it shall not be afterwards completed."

During the course of these debates, it had been stated by the noble and gallant Lord the Member for the County of Waterford (Lord Charles Beresford) that he had never seen the skin broken in flogging, although he had seen many instances of flogging. There was also the testimony of other hon. and gallant Officers who stated that they had not only frequently seen the skin broken, but blood drawn, and particles of flesh flying about. If the Government desired to follow the noble and gallant Lord the Member for the County of Waterford, who was a Naval officer of considerable distinction, in his testimony as to how flogging was to be restricted, he would ask them to accept the Amendment which he (Mr. Parnell) now proposed, and to provide that if the infliction of a sentence of corporal punishment was stopped for any cause whatever before its completion it should not afterwards be completed. Sentences had been frequently stopped, because a man had not been able to bear the punishment, and it was not right that he should be afterwards brought out to suffer the rest of his penalty. Such a proceeding was calculated to inflict grievous torture which no man should be called upon to endure. With regard to flogging in front, he did not apprehend that it would be permitted under ordinary circumstances; but he knew that it had taken place under somewhat extraordinary circumstances. It had taken place where martial law had been proclaimed, and he would not be surprised if Zulus who happened to be caught were flogged in that way. He thought it was exceedingly desirable that they should provide in that Act of Parliament that flogging was to be used as little as possible as a torture, and, therefore, he begged to move the sub-section which stood in his name.

Amendment proposed,

At the end of Clause 45, to insert the words "Sentences of corporal punishment shall be inflicted in manner directed by rules to be issued by a Secretary of State, and care shall be taken that the infliction of such punishment shall not be continued after the skin is broken or blood drawn, and that no flogging in front is permitted, and that if the infliction of a sentence of corporal punishment is stopped for any cause before completion, it shall not be afterwards completed."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

COLONEL STANLEY wished the hon. Member for Meath (Mr. Parnell) to understand that it did not at all follow that because the Government objected to the insertion of this sub-section in the Bill they would sanction the practice against which the Amendment was directed. Undoubtedly, they would not; but the objection to the insertion of the sub-section in the Bill was owing to reasons which he had already explained. He would repeat that he could not accept the Amendment, because it would be impossible to describe all the circumstances under which punishment could be inflicted; and it would be impossible to provide that no punishment should be continued after the skin had been broken or the blood drawn. He was bound to say that, so far as his experience went, he had never seen blood drawn. With regard to flogging in front, he would ask the hon. Member to state any case, within the last 50 years, in which that had been permitted; for his own part, he had never heard of the practice. He would not go as far as to say that it had not occurred; but he would only say that he had never heard of it except from the hon. Member. With regard to the part of the Amendment relating to the completion of sentences of corporal punishment which had once been stopped, he knew of no cause, nor did he think it possible that a case could occur, why a man should be taken to a hospital and then brought out to receive the remainder of his sentence. Such a thing would be contrary to the custom of the Service, and he believed it would be positively illegal.

MR. H. SAMUELSON observed, that it appeared to him that the right hon. and gallant Gentleman the Secretary of State for War objected to that part of the Amendment which stated that blood was not to be drawn. He thought that if they were to have their flesh it would be as well to have their blood also. Perhaps the objection might be met by leaving out all the words after the word "State," thus providing that sentences of corporal punishment were to be inflicted in the manner directed by rules to be issued by a Secretary of State. He begged to move that all the words be omitted after the word "State" in the Amendment.

Sir HENRY HAVELOCK seconded the Amendment. He conceived that the right hon. and gallant Gentleman the Secretary of State for War would do well to accept the Amendment of the hon. Member for Meath (Mr. Parnell) as amended in the manner proposed. He could not see any reason at all why, if this punishment were to be retained, it should not be regulated by all the means in their power. There did not seem to him to be any shadow of reason why it should not be provided that the punishment was only to be inflicted in accordance with rules laid down by the Secretary of State. It was a reasonable and a practical suggestion, and on those grounds he recommended it to the right hon. and gallant Gentleman the Secretary of State for War. The adoption of the proposal would not limit the punishment; it could only prevent it from being abused. He could see no reason why the right hon. and gallant Gentleman should not assent to so reasonable a proposition. It had been decided to retain corporal punishment for reasons with which he did not agree; but, that being so, he thought that it should be recognized that the manner of its infliction should be regulated as well as the punishment itself being authorized. There would be no difficulty at all for the Secretary of State for War to draw up rules regulating in detail the application of the punishment in the same manner as he was going to draw up rules regulating the procedure of Courts of Inquiry. They desired that while this punishment was retained as a matter of necessity, although for reasons with which many of them did not agree, that, at all events, the evil attendant on the punishment should be prevented, and they should preclude the punishment from being used capriciously.

Amendment proposed to the said proposed Amendment, to leave out all the words after the word "State," in line 2, to the end of the Question.—(*Mr. H. Samuelson.*)

Question proposed, "That the words proposed to be left out stand part of the proposed Amendment."

Colonel ARBUTHNOT thought it would expedite Business if the right hon. and gallant Gentleman the Secretary of State for War agreed to the clause of the hon. Member for Meath (Mr. Parnell), in the manner in which it was now proposed to be amended.

Mr. MILBANK wished to ask a question of the right hon. and gallant Gentleman the Secretary of State for War, with reference to flogging with the left hand as well as with the right. Sentences of corporal punishment were, according to the Amendment, to be inflicted in the manner directed by rules drawn up by a Secretary of State. The practice now was that men were flogged beginning with the right hand, and when a man had received a certain number of cuts from the lash from a right-handed man, a left-handed man—usually a drummer in the Infantry, and a farrier in the Cavalry—was put on to give him the remaining quantity of lashes. The consequence of that practice was, what was known in the Army as "cross-cuts." He had observed that the noble and gallant Lord the Member for the County of Waterford (Lord Charles Beresford), in the Division which had just taken place had voted with the minority. He would like to know from him whether he was speaking correctly in what he said? His opinion was that when a man had received some 20 lashes from a cat with knots the skin was broken. It was another question whether blood flowed, for that would probably happen after three or four cuts; but he maintained that after the skin was broken a man ought to be cut down from the triangles, and let off the remainder of the punishment. If the noble and gallant Lord the Member for Waterford was in his place, perhaps he would inform the House whether he was in favour of corporal punishment being inflicted under rules directed by the Secretary of State. For his part, he (Mr. Milbank) could assure the right hon. and gallant Gentleman the Secretary of State for War that he had seen the skin broken many times, and he knew many officers now serving in the Army who had also seen it.

Mr. ASSHETON CROSS said, that his right hon. and gallant Friend would have no objection to adopting the Amendment, if all the words after "Secretary of State" were struck out.

MR. PARNELL said, that he would be very happy to agree to the Amendment proposed by the hon. Member for Frome (Mr. H. Samuelson). He merely wished to suggest to the right hon. and gallant Gentleman the Secretary of State for War that these rules should be laid before the House.

MR. MACDONALD said, that the right hon. and gallant Gentleman the Secretary of State for War was perfectly right in saying that flogging in front had been abandoned. He believed it had been abandoned for something like 40 years; but it did exist for a long time. He thought that the mode of flogging required regulation, for there were several practices — there was flogging half-length and flogging three-quarter-length, the latter of which was of a very much more severe character than the former. If the right hon. and gallant Gentleman was about to issue instructions upon the subject of flogging, he hoped he would insert, amongst the directions, that the officer who was present at every act of punishment should direct that flogging should only be half-length. In that case, the injury would not be so severe, and the danger to the sufferer was not so great as that incurred by three-quarter-length; and, above all, he should instruct that there should be right-handed and left-handed flogging.

MR. BIGGAR was sorry that his hon. Friend the Member for Meath (Mr. Parnell) had agreed to the Amendment of the hon. Member for Frome (Mr. H. Samuelson), for it was his conviction that hon. and right hon. Gentlemen on the Treasury Bench were disposed to inflict very cruel punishments. For his part, he expected that the rules that would be framed by the three right hon. Gentlemen who had charge of the different Departments of the Prisons, the Army, and the Navy, with reference to flogging, would permit all the cruelties that could be inflicted. He fully expected that the joint labours of those three right hon. Gentlemen would end in the infliction of every cruelty that was possible.

LORD CHARLES BERESFORD thought there had been some misunderstanding with regard to this matter. He had been asked why he voted against the Government just now? He did so, because he understood that the question was whether the cat to be used for flogging was to have knots. He really thought there must be some mistake with regard to this matter, for he did not believe that any hon. Gentlemen on those Benches would vote for a cat with knots. If there was any doubt upon the matter, it would be far better to put in a clause to the effect that there should be no knots in the cat.

Question put, and *negatived.*

Amendment, as amended, *agreed to.*

MR. PARNELL moved, to add, at end of Clause 45, the following sub-section:—

(Annual returns of sentences of flogging.)

"Returns shall be annually laid before Parliament of all sentences of flogging which have been inflicted in whole or in part, specifying the number of lashes and the nature of the offence."

Amendment *agreed to;* sub-section *inserted* accordingly.

Clause, as amended, *agreed to.*

COLONEL STANLEY moved, in Clause 46, page 20, line 20, to leave out all the words from the beginning of the line to the end of line 27.

Amendment *agreed to;* words *struck out* accordingly.

Clause, as amended, *agreed to.*

Clause 47 (Power of commanding officer).

COLONEL STANLEY moved, in page 21, line 36, after sub-section (c), to insert, as a further paragraph—

"Where the charge is against a soldier for drunkenness not on duty, the commanding officer shall deal with the case summarily, unless the soldier was guilty of drunkenness after being warned for duty, or unless he has been guilty of drunkenness on not less than four occasions in the preceding twelve months."

Amendment *agreed to;* paragraph *inserted* accordingly.

COLONEL STANLEY moved, in page 21, line 38, before the words "is in temporary command," to insert—

"Is in command of a detachment of troops consisting of, or equivalent in strength to, not less than four troops, or companies, or"

Amendment *agreed to;* words *inserted* accordingly.

COLONEL STANLEY moved, in page 22, line 2, after "twenty-one days," to insert as a new paragraph—

"Provided, That where imprisonment is awarded for absence without leave, the commanding officer shall have regard to the number of days during which the offender has been absent, and in no case shall the term of imprisonment awarded exceed the term of absence by more than four clear days."

Major NOLAN said, that it had now been provided that a commanding officer was only to inflict such a term of imprisonment for absence without leave as should correspond with the period during which the man had been absent. The commanding officer was thus only a registry clerk, and there was no case in which necessity for this paragraph would arise. He apprehended that this Amendment was not required.

Colonel ALEXANDER said, he was disposed to agree with the view taken of the Amendment by the hon. and gallant Member for Galway (Major Nolan), and he did not think there would be any good in retaining the words.

Amendment *agreed to;* paragraph *inserted* accordingly.

On the Motion of Major Nolan, Amendment made, in page 22, line 2, after "days," by inserting—

"Provided that the number of days' imprisonment does not exceed the number of days' absence."

Mr. C. S. PARKER said, his hon. and gallant Friend the Member for Bath (Sir Arthur Hayter) was absent; but he (Mr. C. S. Parker) would move the Amendment standing in his name—namely, to insert the word "district" before the word "court martial" in page 22, line 16.

Amendment *agreed to;* word *inserted* accordingly.

Clause, as amended, *agreed to.*

Other Amendments made.

Clause 49 (General and district courts martial).

Major NOLAN moved, as an Amendment, in page 23, line 33, to leave out the word "seven," and insert the words "not less than five." His object was to insure that a court martial should always consist of five officers. In the cases where they provided that three officers should be sufficient, they were the very cases in which courts martial ought to be most stringently looked after. They ought, in his opinion, never to have less than five.

Amendment proposed, in page 23, line 32, to leave out the word "seven," and insert the words "not less than five."—(*Major Nolan.*)

Question proposed, "That the word 'seven' stand part of the Bill."

Colonel STANLEY replied, that this question was much discussed in Committee, and, while he agreed with the views of the hon. and gallant Member (Major Nolan) to some extent, experience had shown that, in certain circumstances of the Service, and especially in certain Colonies, it was practically impossible to obtain more than three officers. Considerable inconvenience would result from the limitation to five. On the West Coast of Africa, for instance, and other Colonies where there were not many officers serving, five would be very rarely obtainable, and the result would be to keep the prisoner detained for an unnecessary time. The balance of many years' experience had shown that the numbers proposed in the clause were the best; and he, therefore, thought it was better to adhere to what had been proved by practice.

Sir HENRY HAVELOCK hoped that the right hon. and gallant Gentleman would retain the number mentioned in line 32, because he proposed to alter the clause himself, lower down, so as to give three alternative courses, and to have seven at home, five where they were obtainable, and where five were not obtainable, then three. He believed that would meet the exigencies of the Service and the wishes of the hon. and gallant Gentleman (Major Nolan) at the same time. He therefore proposed, in line 35, to move the insertion of certain words.

Mr. SPEAKER said, the Amendment of the right hon. and gallant Gentleman the Secretary of State for War should be put first.

Major NOLAN withdrew his Amendment.

Amendment, by leave, *withdrawn.*

Colonel STANLEY moved, as an Amendment, in page 23, line 32, to leave out all the words from "consist of," in order to insert these words—

"Not less than seven officers: Provided, That if in any place not in the United Kingdom, India, Malta, or Gibralter, in the opinion of the officer who convenes the court (such opinion to be expressed in the order convening the court, and to be conclusive), seven officers are not, having due regard to the public service, available, the court shall consist of five officers, unless, in the opinion of the said officer (such opinion to be expressed in the order convening the court, and to be conclusive) five officers are not, having due regard to the public service, available, in which case the court martial may consist of three officers."

Amendment *agreed to;* words *inserted* accordingly.

SIR HENRY HAVELOCK asked, whether the acceptance of the Amendment excluded the one he had stated it was his intention to propose?

MR. SPEAKER: Yes.

Clause, as amended, *agreed to.*

Other Amendments made.

Clause 52 (Challenges by prisoner).

Amendments made.

COLONEL STANLEY moved, as an Amendment, in page 26, line 18, to leave out "two-thirds are required to concur," and insert "one third are expressed to be sufficient."

MAJOR NOLAN asked, what was the meaning of the phrase that one-third should be expressed to be sufficient?

COLONEL STANLEY explained, that these Amendments had to do with objections raised by a prisoner. They all hung together.

SIR HENRY HAVELOCK complained that it was impossible to understand Amendments moved in this way without explanation. He was sure neither he, nor his hon. and gallant Friend the Member for Galway (Major Nolan) had the least idea what the effect of the clause would be when these Amendments were inserted.

SIR GEORGE CAMPBELL thought the alteration made was quite intelligible, and fell in quite easily with the previous changes. He thought, however, there must be some mistake in inserting the word "one-third."

MR. C. S. PARKER also was of opinion that it was not business-like to insert Amendments which they did not understand. There must be some mistake, as his hon. Friend had pointed out. In many places in the Bill, a majority of two-thirds was received; but there was no place where the vote of one-third carried the decision.

Amendment *agreed to;* words *substituted* accordingly.

Clause, as amended, *agreed to.*

Other Amendments made.

Clause 55 (Confirmation, revision, and approval of sentences).

COLONEL STANLEY moved, as an Amendment, in page 30, line 2, after "authority," to insert—

"And where a court martial is held in a Colony, and there is no such superior officer in that Colony, the Governor of that Colony shall have authority to confirm the finding and sentence of such court martial in like manner in all respects as if he were such superior officer as above mentioned."

MAJOR NOLAN said, he had never heard of the principle contained in the Amendment, of allowing the Governor of a Colony to confirm the finding of courts martial. It would be extremely dangerous as a precedent when martial law was proclaimed; and it was, in his opinion, unfair to bring up such a clause on Report, the principle of which was totally unprecedented.

COLONEL STANLEY explained, that the Amendment was intended to apply to very rare cases, which might happen, for instance, in such places as the West Coast of Africa, where, the decision of the court martial having to be sent home for confirmation, a man might be kept, in consequence, a considerable time in prison. The object of the Amendment was, therefore, to save the detention of the prisoner.

Amendment *agreed to;* words *inserted* accordingly.

Clause, as amended, *agreed to.*

Clause 63 (Execution of sentences of imprisonment).

COLONEL STANLEY moved, as an Amendment, to leave out the word "civil," in page 34, line 38.

Amendment *agreed to;* word *struck out* accordingly.

Clause, as amended, *agreed to.*

Clause 72 (Clause B. Provost marshal).

Colonel ARBUTHNOT, in moving as an Amendment, in page 40, line 35, after "authority," to insert—

"On any soldier, but in the case of persons who are employed by or are in the service of any of Her Majesty's troops when employed on active service beyond the seas, it shall be lawful for such provost marshal to award and inflict punishment for minor offences, for dealing with which he may not consider it convenient to convene a court martial, subject always to regulations issued for his guidance by the general or other officer commanding;"

said, the Bill as it then stood contained a great anomaly, which the Amendment he was about to move was intended to remedy—namely, that all camp-followers, and those who were described in the Amendment as persons in the employ and Service of Her Majesty's troops when employed on active service beyond the seas, must be tried by court martial for any sort of offence which they might commit. He was aware that provision was made in the Indian Military Code to meet this case. But this would certainly not meet the case of, for instance, the persons employed in South Africa as carriers by Sir Garnet Wolseley, all of whom would have to be tried by court martial for any offence they might commit. It was necessary that some organization should be provided by which minor offences might be checked; and he, therefore, moved the Amendment of which he had given Notice.

Amendment proposed,

In page 40, line 35, after the word "authority," to insert the words, "On any soldier, but in the case of persons who are employed by or are in the service of any of Her Majesty's troops when employed on active service beyond the seas, it shall be lawful for such provost marshal to award and inflict punishment for minor offences for dealing with which it may not be considered expedient to convene a court martial, subject always to regulations issued for his guidance by the general or other officer commanding."—(*Colonel Arbuthnot.*)

Question proposed, "That those words be there inserted."

Sir HENRY HAVELOCK opposed the Amendment, on the ground that the practical difficulty could be got over by convening a small standing court martial to deal with camp-followers.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 75 (Change of conditions of service).

Colonel STANLEY moved, as an Amendment, the addition of the following words at the end of the clause—

"Or for any period of time not exceeding twelve years in the whole from the day on which he enlisted."

Amendment *agreed to;* words *inserted* accordingly.

Clause, as amended, *agreed to.*

Clause 77 (Mode of enlistment and attestation).

Major NOLAN said, it would be useful to insert a provision against the enlistment of men when under the influence of liquor, and he proposed to add words which would decide a doubtful magistrate to stop the enlistment of recruits in that condition. It had been objected that an Amendment which was proposed in Committee with this object would be looked upon as an insult to the magistrates; but the words that he desired to introduce could be acted upon by the magistrates without any loss of dignity; and he therefore moved, in page 42, line 34, to insert the words—

"And shall not proceed with the enlistment, if he considers the recruit under the influence of liquor."

Mr. O'SULLIVAN hoped the right hon. and gallant Gentleman the Secretary of State for War would see his way to accept the Amendment of the hon. and gallant Member for Galway.

Mr. H. SAMUELSON pointed out that many recruits at the time of their enlistment were, although not very drunk, just able to understand what was said to them when they were prompted.

Amendment *agreed to;* words *inserted* accordingly.

Clause, as amended, *agreed to.*

Clause 78 (Power of recruit to purchase discharge).

Captain MILNE-HOME said, he was sorry that the hon. and gallant Member for Brighton (General Shute) was not in his place to bring the weight of his experience to bear upon the points which he (Captain Milne-Home) wished to urge in connection with the Amendments to the clause standing in the names of the hon. and gallant Member and himself. It was not his intention to take the extreme course of moving the rejection of the clause, which had been already discussed and disposed of in Committee; but he could not help feeling that its retention, at all events, in the form in which it then stood, would be detrimental to the Service, and a source of unfairness to many soldiers serving in the Army. He objected to the clause altogether, because it treated of a matter which he considered to be one of Departmental detail that ought to be dealt with by the military authorities. Without wishing to detain the House, he would only place the Amendments before the right hon. and gallant Gentleman the Secretary of State for War, in the hope that he would turn round in his place to say that he agreed to them. He was, however, obliged to remind the House that the clause presented an entirely new principle, and he thought the House should be informed by whom that principle had been recommended; because, if he mistook not, no such recommendation was made by the Committee upstairs. The 21st Article of War provided that a soldier should not be dismissed from the Service without a discharge granted according to General Order, and the Warrant then in force stated that no soldier could demand his discharge as a matter of right. The present clause, however, allowed a soldier of under three months' service to claim his discharge upon the payment of £10. His (Captain Milne-Home's) first Amendment was to leave out the word "three," and insert the word "one," in line 32, page 43, of the Bill. He objected to the period of three months named in the clause upon the score of the expense to the country which it entailed. This was particularly apparent in the case of Cavalry regiments, in which the training of a recruit during a period of three months cost from £20 to £30. If, therefore, the soldier was discharged at the end of three months, the country would thereby be at a loss of £10 to £20; because, on his discharge, he had only to pay the sum of £10 for the use of Her Majesty. The man would leave the Service a much better article, so to speak—well conducted, set up, drilled, and, in short, a very much more marketable commodity in the labour market than he was before he joined it. It must also be recollected that if a man, after three months' service, was discharged, another man would have to be brought in to fill his place who had no service at all. With regard to his second Amendment, he thought that if the clause was to stand in its present form, the commanding officer ought to have something to say with reference to a recruit's leaving at the end of three months, because great inconvenience might result from this, especially if a large number of men claimed their discharge at one time. Under those circumstances, more work would be thrown on their comrades who remained in the regiment; and he, therefore, thought that the men ought not to be allowed to claim their discharge except with the approval of the commanding officer. The hon. and gallant Gentleman concluded by moving the first of the Amendments of which he had given Notice.

Amendment proposed, in page 43, line 32, to leave out the word "three," and insert the word "one."—(*Captain Milne-Home.*)

Question proposed, "That the word 'three' stand part of the Bill."

COLONEL STANLEY hoped the House would not accept the Amendment. The subject had been discussed at considerable length in Committee, and the present regulations had met with the general approval of the House. His own convictions in the matter were strengthened by the recommendations of a Departmental Committee consisting of very experienced officers.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 83 (Prolongation of service in certain cases).

COLONEL STANLEY moved, as an Amendment, in page 47, line 6, to leave out the word "active."

Amendment *agreed to;* word *struck out* accordingly.

COLONEL STANLEY moved, as an Amendment, in page 47, line 12, at the end, to insert, as a separate paragraph—

> "If a soldier required under this section to be discharged or sent to the United Kingdom desires, while a state of war exists between Her Majesty and any foreign power, to continue in

Her Majesty's service, and the competent military authority approve, he may agree to continue as a soldier of the regular forces in the same manner in all respects as if his term of service were still unexpired, except that he may claim his discharge at the end of such state of war, or, if it is so provided by such agreement, at the expiration of any period of three months after he has given notice to his commanding officer of his wish to be discharged."

Amendment *agreed to;* paragraph *inserted* accordingly.

Clause, as amended, *agreed to.*

Clause 84 (In imminent national danger, Her Majesty may continue soldiers in, or require soldiers to re-enter, army service).

Colonel STANLEY moved, as an Amendment, in page 47, line 18, after "all," to insert "or any."

Amendment *agreed to;* words *inserted* accordingly.

Colonel STANLEY moved, as an Amendment, in page 47, line 26, after the word "enlistment," to insert—

"And the period during which his service may be prolonged under the foregoing provisions of this Act."

Amendment *agreed to;* words *inserted* accordingly.

Clause, as amended, *agreed to.*

Clause 86 (Discharge or transfer to reserve).

Sir GEORGE CAMPBELL moved, as an Amendment, in page 48, line 4, after "Act," to insert "or the Acts relating to the reserved forces." The hon. Gentleman said, in explanation, that that and the following Amendment were for the purpose of enabling a soldier to be continued in the Reserve after having served his time in the Army. Under other Acts, a soldier could be kept in the Reserves when his period of Army service had expired, and the object of the Amendment was to make it clear that he could do so with his consent.

Amendment *agreed to;* words *inserted* accordingly.

Sir GEORGE CAMPBELL moved, as an Amendment, in page 48, line 6, to add at the end "or, with his assent, transferred to the reserve forces."

Colonel Stanley

Amendment proposed,

"In page 48, line 6, after the word "discharged," to insert the words "or with his assent transferred to the reserve forces."—(*Sir George Campbell.*)

Question proposed, "That those words be there inserted."

Colonel STANLEY thought that those words were useless. Under the Reserved Forces Act, anyone who pleased and was eligible might go into the Reserves. There was no power to transfer a man without his consent.

Question put, and *negatived.*

Clause, as amended, *agreed to.*

Clause 90 (Justices of the peace for the purposes of enlistment).

Mr. H. SAMUELSON said, that as the hon. and gallant Member for Winchester (Colonel Naghten) was not in his place, he (Mr. Samuelson) would move the Amendment which stood in his name. Militia officers were always subject to military law, and it would be quite impossible for them to act as justices of the peace as the clause stood. To remedy that he would move in page 50, line 42, after the word "Act," to insert "except officers of Militia while the regiments to which they belong are disembodied."

Amendment *agreed to;* words *inserted* accordingly.

Clause, as amended, *agreed to.*

Clause 91 (Enlistment of foreigners and negroes).

Sir GEORGE CAMPBELL moved, as an Amendment, in page 51, line 7, to leave out the words "so enlisted." The object of the Amendment was to make it quite clear how far aliens were eligible for the position of commissioned officers in Her Majesty's Service. The clause under notice provided for the enlistment of aliens as soldiers in Her Majesty's Army, and proceeded to enact that aliens so enlisted should not be competent to hold higher rank than that of warrant officer or non-commissioned officer. It seemed hard that after having served a certain period as soldiers, aliens should be incapable of being made officers, unless it were also clear that they were incapable of being made officers if they had not entered the ranks at all. He proposed to omit the words "so enlisted," in order to make it quite clear that no alien should be capable of holding higher rank in Her Majesty's Service than that of warrant or non-commissioned officer. It would, of course, be open to an alien to be naturalized and then to hold a commission, whether he had served in the ranks or not.

Amendment proposed, in page 51, line 7, to leave out the words "so enlisted."—(*Sir George Campbell.*)

Question proposed, "That the words 'so enlisted' stand part of the Bill."

MAJOR NOLAN deprecated so strict a line as that proposed being drawn. The suggestion came at an important time; because, if the late Prince Imperial had had a more defined position, he would probably not have been allowed to have entered on the expedition which resulted in his death.

Question put, and *agreed to.*

Clause *agreed to.*

Another Amendment made.

Clause 101 (Liability to provide billets).

MR. O'SULLIVAN moved, as an Amendment, in page 54, line 35, after the word "alehouses," to insert "bakers, butchers, and refreshment house keepers." He hoped that the right hon. and gallant Gentleman the Secretary of State for War would have no objection to the insertion of this Amendment. Under the present system of limiting billeting to alehouses and inns, there was often a great want of accommodation. He did not see why the butchers and bakers, and refreshment house keepers, should not be under the same liability to accommodate the troops as the inn-keepers. Many times he had seen great inconvenience result from the accommodation being limited, as it now was, to public-houses. He trusted it would be extended according to the terms of his Amendment.

Amendment proposed,

In page 54, line 35, to insert, after the word "alehouses," the words "bakers, butchers, and refreshment house keepers."—(*Mr. O'Sullivan.*)

Question proposed, "That those words be there inserted."

MR. CALLAN hoped that the right hon. and gallant Gentleman the Secretary of State for War would not yield to the proposal of the hon. Member for Limerick (Mr. O'Sullivan). The butchers and bakers only kept houses for their own accommodation; whereas, by the Acts under which public-houses were licensed in Ireland, they were compelled to provide accommodation for the public. He trusted that the right hon. and gallant Gentleman would not inflict private soldiers upon the butchers and bakers, but would limit the accommodation, as at present, to licensed houses.

COLONEL STANLEY said, that the question of billeting was of some importance. The Bill placed the Irish law of billeting upon the same footing as the English. Formerly, billeting in private houses took place in Ireland. It was not necessary for him to say more than that he could not accept the Amendment. He should be prepared, however, to make arrangements to prevent inconvenience to the troops, if it were brought to the notice of the authorities.

MAJOR O'BEIRNE considered that the convenience of troops on the march was a matter of great importance. At present, much inconvenience was suffered from the troops having to be billeted exclusively in taverns. If the butchers and bakers had the best houses in a town, then he thought that the troops ought to be billeted in them. He hoped the Amendment would be accepted.

MR. ONSLOW pointed out that, by the provisions of the Bill, all persons selling wine, brandy, spirits, strong waters, cider, or metheglin by retail were compellable to give accommodation to the troops. He thought it would be going too far to make the butchers and bakers also take the troops in.

MAJOR NOLAN understood that a new Schedule was to be framed fixing the prices for billeting. It would be absurd to make the butchers and bakers liable to have troops billeted upon them, for their houses were as much private houses as the linendrapers.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 103 (Accommodation and payment on billet).

MAJOR O'BEIRNE moved, as an Amendment, in page 56, line 13, after the word "billets," to insert "and the officer or non-commissioned officer authorised to demand such billets." The effect of the Amendment was to give an officer or non-commissioned officer a right to reject a billet he did not consider suitable. There were opportunities at present for some innkeepers to escape receiving troops by agreement with the constable, the excuse being given that all the beds in their hotels were engaged. In consequence of that, troops had frequently to be billeted two or three miles away from their place of parade. That had happened at Leicester, Reigate, and other places; and he had known it done, although the innkeepers had plenty of accommodation.

Amendment proposed,

In page 56, line 13, after the word "billets," to insert the words "and the officer or non-commissioned officer authorized to demand such billets."—(*Major O'Beirne.*)

Question proposed, "That those words be there inserted."

Colonel STANLEY did not think it would be wise to insert these words in the Bill, as they would introduce an entirely new principle. Hitherto, billets had had to be demanded from the civil authorities entitled to issue them, and the matter was entirely in their hands. Moreover, he should not like to leave so large a discretionary power in the hands of the non-commissioned officers. It would be far better to leave the discretion in the hands of the civil officials.

Question put, and *negatived.*

Clause *agreed to.*

Other Amendments made.

Clause 126 (Arrangements with Indian and colonial governments as to prisons).

Mr. PARNELL said, he had to move an Amendment in page 69, to add, at the end thereof—

"And in all cases where the court has so otherwise ordered, returns shall be annually laid before Parliament specifying such sentences, and stating the special reasons for such order in each case."

This Amendment was one which he thought the Government would agree to. It referred to the limitation placed upon sentences of over twelve months' imprisonment inflicted abroad. It had been provided that unless the court otherwise directed the punishment should take place in England. He only wished for Returns to be laid before Parliament giving the special reasons why courts martial had decided that the imprisonment should take place abroad.

Amendment proposed,

In line 69, to insert, at the end of Clause, the words "and in all cases where the court has so otherwise ordered, Returns shall be annually laid before Parliament specifying such sentences, and stating the special reasons for such order in each case."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

Colonel STANLEY said, he had no objection to the proposal in principle. He did not think, however, that it would be desirable to have Returns of all the cases laid before Parliament. If any particular case were required, then a Return in respect of it could be moved for. It would cause a great deal of useless labour and expense to have Returns made in all cases.

Question put, and *negatived.*

Clause *agreed to.*

Clause 127 (Duty of governor of prison to receive prisoners, deserters, and absentees without leave).

Mr. PARNELL moved, as an Amendment, to add at the end of clause—

"And Returns shall be annually laid before Parliament of all proceedings and evidence taken at inquests or other inquiries into the deaths of prisoners."

Amendment proposed,

In page 69, to insert, at the end of Clause, the words "and Returns shall be annually laid before Parliament of all proceedings and evidence taken at inquests or other inquiries into the deaths of prisoners."—(*Mr. Parnell.*)

Question proposed, "That those words be there inserted."

Mr. ASSHETON CROSS observed, that the evidence and proceedings at inquests on prisoners would be too bulky to be conveniently laid before the House.

Sir WILLIAM HARCOURT did not see why the evidence in these cases should be laid before Parliament more than in other cases. No Returns were required in ordinary cases, and he could see no reason for their being required here. If the hon. Member for Meath (Mr. Parnell) wished that Parliament should have cognizance of these matters, of course, everyone knew that they could take cognizance of them. Any particular case which might arise could be called attention to; but it would only lead to unnecessary labour and expense to have such Returns as the hon. Member wished.

MR. PARNELL said, that if he were allowed to do so he would amend his Amendment, by striking from it the words, "proceedings and evidence taken at," and it would then read as follows:—

"And Returns shall be annually laid before Parliament of all inquests or other inquiries into the deaths of prisoners."

MR. SPEAKER said, that the Amendment could not be made, unless the House would first allow the hon. Member to withdraw his Amendment, and he could then move the proposed amended Amendment.

Amendment, by leave, *withdrawn.*

Amendment proposed,

In page 69, to insert, at the end of Clause, the words "and Returns shall be annually laid before Parliament of all inquests or other inquiries into the deaths of prisoners."—(*Mr. Parnell.*)

Question put, "That those words be there inserted."

The House *divided:* — Ayes 14; Noes 116: Majority 102.—(Div. List, No. 184.)

Clause 128 (Establishment and regulation of military prisons).

MR. PARNELL said, the next clause—128—was a most important one, which involved a question not settled till the Report, for two reasons; first of all, they awaited the decision of the House as regarded the question of corporal punishment; and, secondly, they were waiting for the Report of the Royal Commission which was charged to inquire into the question of prison discipline.

MR. SPEAKER: If the hon. Member has no Amendment to move, I shall call upon the right hon. and gallant Gentleman the Secretary of State for War to move his Amendments.

MR. PARNELL replied, that he proposed to conclude with a Motion in order to put himself in Order. The Report of the Royal Commission had been placed on their Table. He himself objected to flogging in prisons more than to flogging in the Army, because flogging in prisons must be an entirely unnecessary punishment. A man was under complete control. It could not be said that they were then in the presence of the enemy, and that flogging was, therefore, necessary for the preservation of discipline. A man might be punished in a variety of ways, and they had at hand in a prison all kinds of mechanical appliances for the purpose. They could put a man in a dark and solitary cell for seven days, or they could half-starve him on bread and water, or do a number of other things which would reduce him to subjection. The Commission, however, he was sorry to say, had reported in favour of it, though they said it was very seldom used, and so on.

MR. SPEAKER: I must point out to the hon. Member for Meath that the question raised here is Clause 128.

MR. PARNELL replied, that Clause 128 was the clause he was speaking upon. He was sorry that he would not be able to move an Amendment on the question, because he had to leave for Ireland by the 7 o'clock train. However, he could inform hon. Gentlemen opposite that one of his hon. Friends would take charge of his Amendment. It was really of such an important character that he must ask the House to allow them to discuss this question fairly and fully, when due and proper consideration could be given to it. This was really a question of great importance, and he exceedingly regretted that the decision of the Royal Commission had been against him. He did not believe flogging in prisons to be at all necessary, for they had done without it in Ireland, and if they could do without it there, surely it was unnecessary here. He would not, however, pursue the question then; for at that hour—2.45—it was unfair to ask the House to do so. He would, therefore, request the Chancellor of the Exchequer to concur in the adjournment of the debate, in order that the matter might be fully, calmly, and coolly discussed. He thought the right hon. Gentleman would admit he had not been unfair to the Government, and he had no desire to be unfair to them. He understood there must be a Saturday Sitting, and, therefore, they might surely be allowed to conclude the Bill then. He begged to move that further consideration be adjourned.

Motion made, and Question proposed, "That further Consideration of the Bill, as amended, be now adjourned."—(*Mr. Parnell.*)

The CHANCELLOR of the EXCHEQUER thought the general feeling of the Committee was in favour of going on. He was not at all disposed to complain of the conduct which the hon. Member for Meath had pursued in the discussion of this Bill upon Report; but he thought the feeling of the House was decidedly in favour of proceeding until it was finished. Then he hoped they would be allowed to read it a third time, so as finally to conclude their labours upon it. If the House were disposed to do that, it would not be necessary to have a Saturday Sitting. The Commencement Bill would have to be taken on Monday. He thought it would not be so very great an inconvenience to give another hour or two.

Sir WILLIAM HARCOURT hoped the hon. Member for Meath (Mr. Parnell) would not press the Motion. He must feel it was impossible that the feeling of the House could be changed upon the question of flogging now, even by an adjournment of the debate till Saturday morning.

Mr. BIGGAR reminded the House that the Chancellor of the Exchequer had promised that due opportunity would be given for the discussion of Amendments, and he would ask him whether there could be a proper discussion after the present hour? No Motion for adjournment had been made till after 2.30, and he did appeal to the right hon. Gentleman not to give them the trouble of going to the Division Lobby at such a time.

Mr. O'CONNOR POWER would urge his hon. Friend (Mr. Parnell) not to proceed with his Motion. There could be no doubt that his hon. Friend had been animated by a sincere desire to improve this Bill. He must confess, however, that in the present temper of the House, and after the statement of the Chancellor of the Exchequer, he could not expect to add to the very important victories he had already achieved. He, therefore, thought that no end could be gained by protracting this debate any longer. The hon. Member for Meath was going to Ireland to pursue his patriotic labours there, having achieved victories of which any man in the House might be proud. Whatever might be the representations of hon. Members, or the misconceptions of his conduct, these were victories on which he could look back with pride. They had discussed this question of flogging over and over again—they had debated it under almost every conceivable circumstance. Although he was far from saying it would be unreasonable to ask the House to adjourn, and to continue the discussion on another day, he thought they would be wise to be satisfied with the substantial victory achieved, and he would, therefore, appeal to his hon. Friend to withdraw his Amendment.

Mr. DILLWYN also appealed to the hon. Member for Meath (Mr. Parnell) to withdraw his Motion, as the consequence was, as the Chancellor of the Exchequer had stated, it was now, if the Bill were finished that night, unnecessary to have a Morning Sitting next day. He would, therefore, suggest that the Motion should not be pressed to a Division.

Mr. CALLAN also appealed to the hon. Member for Meath (Mr. Parnell) to withdraw his Motion. If he read the intention of line 21 of the 128th clause aright, he found that the corporal punishment of 25 lashes was an addition to the general power given in military prisons; and they were told, also, that it was necessary for commanders in the field to have this power. ["Order, Order!"]

Mr. SPEAKER: Is the hon. Member referring to Clause 128?

Mr. CALLAN replied, that this was a Motion for continuing the debate. He knew from whom these interruptions came, and he was conscious that the spirit which animated the flogging Gentlemen below the Gangway, who were in favour——

Mr. SPEAKER: I must invite the hon. Member to address the Chair.

Mr. CALLAN said, he was addressing himself to the Chairman, in calling his attention to the spirit which animated a portion of the House, in interrupting him whilst he was making an appeal to the Chancellor of the Exchequer to facilitate the progress of Public Business. He would not condescend to appeal personally, directly or indirectly, to hon. Members who were in favour of flogging; but he would appeal directly to his hon.

Friend (Mr. Parnell), with reference to this Motion, and would ask him not to press it.

MR. PARNELL felt the force of what had been said, and did not think they could do much good in pressing this question any further. The House was really not in a position to discuss the question as it ought to be discussed; while, if they had a Morning Sitting, the House would feel rather injured at being called upon to discuss once more the question of flogging. He would have an opportunity of bringing this forward on the Army Estimates, and he thought he might fairly postpone it till then. He, therefore, should not propose to move any Amendment in Clause 128. He should, indeed, take no further part in this matter, but would renew his opposition to the prison cat on the Irish Estimates before the close of the Session, and deal with it more effectually in that way.

Motion, by leave, *withdrawn.*

Other Amendments made.

Clause, as amended, *agreed to.*

Clause 164 (Persons subject to military law as soldiers).

COLONEL ARBUTHNOT, in moving the Amendment of which he had given Notice, hoped the right hon. and gallant Gentleman the Secretary of State for War would not object to it. The right hon. and gallant Gentleman could hardly contemplate leaving the Bill in its present state, and he really thought he might consent to this Amendment without injuring his position.

Amendment proposed,

In page 94, line 15, to insert, after the word "law," the words "and such persons shall, for purposes of military control and discipline, be subject to such regulations as may be issued from time to time by the general or other officer commanding, though not specified in this Act."—(*Colonel Arbuthnot.*)

Question proposed, "That those words be there inserted."

COLONEL STANLEY said, he was very sorry, but he could not accept the Amendment.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Other Amendments made.

Clause 177 (Interpretation of terms).

MR. H. SAMUELSON moved, as an Amendment, in page 106, line 21, after "military," to insert "and hostile." He wished to impress upon the Government that something certainly must be done to meet the case of Cyprus. It was certainly not a hostile occupation. It was an occupation, there was no doubt, and it was a place of arms. They were also bound to give it up in case they did certain things which it was not at all likely they would do. At the same time, it was clear that Cyprus was not a Colony, nor part of the Dominions of Her Majesty the Queen. Therefore, something ought to be done to bring Cyprus under the administration of the law.

Amendment proposed,

In page 106, line 21, to insert, after the word "military," the words "and hostile."—(*Mr. H. Samuelson.*)

Question proposed, "That those words be there inserted."

SIR WILLIAM HARCOURT supported the Amendment, observing that Cyprus was not a colony, and was not dealt with as such. If they would look at line 38, page 106, it would be seen that a foreign country meant any place not situate in the United Kingdom, the Colonies, or India. By putting in the words "or Cyprus," the clause would be made perfect.

MR. COURTNEY said, by that proposition, no doubt, the case of Cyprus would be met. At present, the clause did not deal with cases where they might be in possession of a country, or part of a country, in which they were not carrying on active operations. They might, for instance, be in occupation of part of Belgium, Portugal, or Denmark, and these cases would not be dealt with at all under the present Bill. He thought the insertion of the words would meet the case very fairly.

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD) said, he had no objection to the words suggested; but it seemed to him that the phrase "military occupation" was perfectly well understood. It was an occupation by the military forces as distinct from the civil government, and where there was an occupation by the military forces they ought to have extraordinary powers.

SIR WILLIAM HARCOURT said, it was not a question whether it was a hostile occupation. For instance, supposing they were in occupation of Eastern Roumelia, in time of peace, would they allow a death-penalty to be enforced under such circumstances?

Question put.

The House *divided*:—Ayes 10; Noes 92: Majority 82.—(Div. List, No. 185.)

Mr. H. SAMUELSON said, he had already explained that he would not move any of his Amendments, if the Government would accept one of them; and if he knew the Government were about to accept this one, he certainly would not have put the Committee to the trouble of division.

Other Amendments made.

Question, "That the Bill, as amended, be reported to the House," put, and *agreed to*.

Colonel STANLEY hoped he might appeal to the House, for reasons of Public Business, to read the Bill a third time at once.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Colonel Stanley*.)

Sir WILLIAM HARCOURT would take that opportunity of hoping that his right hon. and gallant Friend would further consider an Amendment which they were not able to discuss fully—the Amendment of his hon. Friend the Member for Frome (Mr. H. Samuelson). He (Sir William Harcourt) hoped in "another place" the difference between a military and a hostile occupation would be fully considered. He thought, if his right hon. and gallant Friend would carefully consider the matter, he would come to the same conclusion.

Colonel ARBUTHNOT hoped, if time would allow, that the matter to which he had already called attention twice would also be borne in mind on another occasion.

Question put, and *agreed to*.

Bill read the third time, and *passed*.

ARMY DISCIPLINE AND REGULATION (COMMENCEMENT) [EXPENSES].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of rates for Billeting and other Expenses of Troops on the March, in pursuance of the provisions of any Act of the present Session for bringing into force "The Army Discipline and Regulation Act, 1879."

Resolution to be reported upon *Monday* next.

POOR LAW (SCOTLAND) (NO. 2) BILL.

On Motion of The Lord Advocate, Bill for the further amendment of the Laws relating to the Relief of the Poor in Scotland, *ordered* to be brought in by The Lord Advocate and Mr. Secretary Cross.

Bill *presented*, and read the first time. [Bill 252.]

House adjourned at a quarter before
Four o'clock in the morning
till Monday next.

HOUSE OF LORDS,

Saturday, 19*th July*, 1879.

MINUTES.]—Public Bill—*First Reading*—Army Discipline and Regulation * (156).

ARMY DISCIPLINE AND REGULATION BILL.

Brought from the Commons; read 1ª; to be *printed*; and to be read 2ª on *Monday* next: (*The Viscount Cranbrook*.) (No. 156.)

House adjourned at a quarter past Five
o'clock, to Monday next,
Eleven o'clock.

HOUSE OF LORDS,

Monday, 21*st July*, 1879.

MINUTES.]—Public Bills—*Second Reading*—Customs Buildings (146).

Second Reading — Committee negatived — Army Discipline and Regulation (156).

Committee—Report—Public Loans Remission * [144].

Third Reading — Tramways Orders Confirmation * (135); Highway Accounts (Returns) * (143), and *passed*.

Royal Assent—Dispensaries (Ireland) [42 & 43 *Vict.* c. 25]; Parliamentary Burghs (Scotland) [42 & 43 *Vict.* c. 47]; Salmon Fishery Law Amendment (No. 2) [42 & 43 *Vict.* c. 26]; Convention (Ireland) Act Repeal [42 & 43 *Vict.* c. 28]; Public Health Act (1875) Amendment (Interments) [42 & 43 *Vict.* c.

31]; Sale of Food and Drugs Act (1875) Amendment [42 & 43 *Vict.* c. 30]; Marriages Confirmation (Her Majesty's Ships) [42 & 43 *Vict.* c. 29]; Local Government Provisional Order (Artisans and Labourers Dwellings) [42 & 43 *Vict.* c. clviii]; Gas and Water Provisional Orders Confirmation [42 & 43 *Vict.* c. clix]; Wormwood Scrubs Regulation [42 & 43 *Vict.* c. clx]; Cork Borough Quarter Sessions [42 & 43 *Vict.* c. clxi]; Inclosure Provisional Order (Whittington Common) [42 & 43 *Vict.* c. clxii].

SOUTH AFRICA — THE ZULU WAR—LATEST TELEGRAMS.—QUESTION.

VISCOUNT **CARDWELL** asked if the Government had received any fresh intelligence from South Africa?

VISCOUNT **BURY**, in reply, said, the following telegrams from Major General Hon. H. Clifford to the Secretary of State for the Colonies were received yeterday from St. Vincent:—

"PIETERMARITZBURG, July 3.

"General left here July 1, 7 a.m., for Durnford *viâ* Durban, at which place Chelmsford's despatch in answer to Wolseley's orders reached him. General arrived Port Durnford, July 2, but not yet able to land, surf too high. *Euphrates*, with drafts, arrived Durban to-day; was to have disembarked everything at Port Durnford, but Commodore cannot anchor. No direct news from Chelmsford since 29th June; information given had been anticipated by officers who arrived from his camp and gave news. Newdigate advancing on Ulundi; force of 500 whites, with surplus waggons, in laager, left about 10 miles from Ulundi; expected to be at Ulundi 1st July. Crealock still at Napoleon Hill; ground in front difficult; no roads; transport required; have sent up four sections mule transport, 48 wagons; native carrier corps being formed for transport of Crealock's Division 2,000 strong at first, if found to answer will be increased to 5,000.

"JULY 4, 8 a.m.

"Have not heard that Wolseley has landed at Port Durnford. Chelmsford's message to Wolseley of June 30 says, 'Five miles from Entanguin, 10 from Umvolosi River; King's messengers have just left with message from me that I must advance to position left bank of river; I do so to-morrow, but will stop hostilities pending negotiations if demands communicated are complied with by July 3; these demands are, that Indunas come with cattle and guns. I have consented to receive 1,000 captured rifles instead of regiment laying down its arms. As my supply will only permit of my remaining here until July 10, it is desirable I should inform you of conditions of peace to be demanded. White man with King states he has 20,000 men; King anxious to fight; Princes not. Where is Crealock's column? If Wolseley lands before 12 this day, which is last moment for telegraphing you by *Olympus*, you will be informed. English horses have arrived safe at Cape. Wolseley not able land Port Durnford; returns in *Shah* to Durban to-day; proceeds by land to 1st Division immediately.

"NOON.

"No further news from Chelmsford has reached me; Wolseley not yet arrived at Durban from Port Durnford.

"2.35 p.m.

"No further news has reached me from Chelmsford, or of Wolseley having landed at Durban."

SLAVERY IN CUBA.

MOTION FOR PAPERS.

LORD **SELBORNE**, who had given Notice to call attention to the question of slavery in Cuba, and to move for—

"Copies of all despatches and papers containing any communications on that subject which have passed between Her Majesty's Government or Her Majesty's Minister at Madrid and the Spanish Government, and which have not already been laid before Parliament;"

said: It may be in the recollection of those of your Lordships who take an interest in the subject of Slavery, that, on the 21st of March last, my noble Friend (Earl Granville) asked the noble Marquess the Secretary of State for Foreign Affairs, Whether Her Majesty's Government were taking any steps with a view to obtain the fulfilment of the assurances which had been given by the Government of Spain as to the total abolition of Slavery in the Spanish Possessions? My noble Friend put no undue pressure upon the Government: he would have been content if he had only learned that something was really being done. But the noble Marquess, after referring to the change which had then lately taken place in the Spanish Ministry, said that it must be remembered that the matter was one entirely of internal regulation, and that, but for the promise which the Spanish Government had volunteered, we should have no right to mention the subject. That answer occasioned both disappointment and surprise — disappointment, because it was very different in its tone from a letter received less than a year before from the Foreign Office by the Anti-Slavery Society, in reply to a Memorial which it had presented; surprise, because it was impossible to reconcile it either with the tenour of the language held by the Predecessors of the present Secretary of State, or with the real facts on which the right of this country to remonstrate with Spain rested. I can only suppose that the noble Marquess had been too much occupied with the affairs of Turkey and other countries, which are still the strongholds of Slavery on the shores of the Mediterranean, to be able to refresh his memory as to what had previously occurred on this subject. That answer makes it necessary for me to remind your Lordships, that the promises of Spain were not volunteered in such a sense as to make them the sole foundation of our right to remonstrate. We have two Treaties with Spain relating to this question, the one entered into in 1817 and the other in 1835. By the Treaty of 1817, in consideration of a sum of £400,000 then paid by this country, Spain entered into a positive and absolute engagement totally to abolish the Slave Trade throughout her Dominions from the end of the year 1820. By the Treaty of 1835, that engagement was solemnly renewed; the Slave Trade was declared, so far as Spain was concerned, to be wholly abolished and illegal; and each of the contracting States then bound itself to cooperate with the other to suppress it, and Spain entered into a very explicit and positive engagement with us to give absolute freedom to all those negroes who might be taken out of vessels which were found carrying on the trade; to insure to those negroes good treatment in every way; and, likewise, to communicate information to us on the subject. In what manner were those engagements fulfilled? They did not, it is true, bind Spain to abolish within her Dominions the institution of Slavery: but they bound her not to add, by any means resulting from the Slave Trade, to the number of the unhappy beings who were already subject to it. It appears from the Returns made from time to time by the British Consul General and Commissioners in Cuba, and laid before Parliament, that in the 20 years between 1822 and 1842, no fewer than 200,621 slaves were introduced into Cuba by ships sailing from, and returning to, Spanish ports. I have not been able to ascertain the exact numbers for the next 16 years; but, during that interval, instead of the trade diminishing, it largely increased, and in the five years from 1858 to 1862, no fewer than 100,560 were likewise imported into Cuba, against the stipulations of the Treaties. The total number imported during the 42 years from 1820 to 1863 could not have been under 500,000. On the 8th of June, 1860, Lord John Russell, speaking in the House of Commons, said—

> "I believe from 30,000 to 40,000 slaves are annually brought into that Island from Africa, and it is perfectly true that this trade is carried on in contempt and violation of Treaties between this country and Spain."—[3 *Hansard*, clix. 205.]

In a despatch of September 30th, 1860, Consul General Crawford estimated that the total number of slaves in Cuba was then 400,000, the excess of deaths over births being 8 per cent per annum. Those figures substantially justify his conclusion, in a despatch of March 23rd, 1876, that every able-bodied African then in Cuba under 55 years of age must have been imported clandestinely, and was legally entitled to his freedom at once. Every, or almost every, able-bodied negro in Cuba under 55 years of age was, in 1876, a living monument of the breaches of Treaty committed by Spain, and we had a clear Treaty right to remonstrate against the retention in Slavery of nearly the whole slave population of Cuba at that time. With regard to the negroes who had been intercepted by the Spanish cruisers in slave-trading vessels, called, in the language of the country, Emancipados, and whom the Spanish Government was bound by the Treaty of 1835 to restore to perfect freedom, as well as to insure them the best possible treatment, Consul General Crawford, in his Report of August 28th, 1863, said—

> "The Emancipado is the most wretched of human beings, for he is neither more nor less than a Government slave; and he is condemned to drag out a life of hopeless misery, being constantly re-assigned from one master to another at the caprice of the authorities, and being subjected to all the hardest labour and discipline of the slave without any adequate remuneration, and without even the privilege which is accorded to the slave of purchasing his own freedom. The treatment which these poor creatures receive at the hands of their masters is, generally speaking, of the very worst kind. They are cheated out of their wages, and are subjected to every species of punishment. They are sold, or rather they are transferred from one master to another, for a consideration generally amounting to from 170 dollars to 204 dollars; and terrible abuses are committed with the friendless Emancipado, such as reporting him dead, whereas he has been substituted for a defunct slave."

Thus, both with respect to the continuance of the Slave Trade, and to the treatment of those who were ostensibly rescued from slavery, the Spanish Government, for a long course of years, systematically disregarded its direct Treaty engagements. A Convention for better securing the performance of the Treaties was proposed by this country in 1840, and another in 1850; but both were rejected by Spain. These things did not take place without continual remonstrances by the Predecessors in Office of the noble Marquess, who certainly did not take the view that the subject was one which, except by some voluntary concession of the Spanish Government, we were not entitled to mention to them. I will mention a few of the instances which are scattered over the Slave Trade Papers of many years. In 1841, Lord Palmerston urged the Spanish Government

> "To take steps for restoring to freedom all those negroes who have been introduced into Cuba as slaves in violation of the laws of Spain, and who, therefore, not being the legal property of any man, are *ipso facto* free by the law of the country itself."

In June, 1870, Lord Clarendon sent to Mr. Layard, for communication to the Spanish Government, a Memorial which he had received from the Anti-Slavery Society, with his answer, in which he stated that—

> "It was impossible not to acknowledge that the slaves introduced into Cuba, in violation both of the Spanish laws and of the international obligations of Spain towards this country, were properly entitled to their freedom."

And Mr. Layard was then instructed to express a hope that the question would be dealt with in a "complete and satisfactory manner." It was in that year that those promises were made to this country by Spain, which the noble Marquess opposite in March last declared to have been volunteered. While those promises were still recent, the language of my noble Friend behind me, who asked the Question in March last, was very explicit as to the right of this country, founded upon Treaty engagements to be heard upon the subject. In 1871, Mr. Layard wrote that Senor Martos had admitted to him that "pledges had been given to Her Majesty's Government;" to which he had replied, that—

> "Her Majesty's Government, after the assurances given them, would have just grounds for remonstrance if something were not done to prove the intention of the Spanish Government to carry out those measures for the eventual total abolition of Slavery, which they had publicly pledged themselves, not only to Spain, but to Europe and the United States, to adopt."

On the 24th of November, 1871, my noble Friend wrote to Mr. Layard—

> "Her Majesty's Government do not feel justified in maintaining any longer the silence and reserve which they have hitherto observed upon a question in which they have a Treaty right to interfere;"

referring, at that time, more especially to the case of the Emancipados. In December of the same year, he told the Spanish Ambassador that—

> "With us it was not a question of merely making a representation on a matter which we had at heart, but was one, also, of insisting on the execution of positive Treaty engagements."

If the noble Marquess opposite had remembered the terms of those communications, when he answered the Question addressed to him on the 21st of March last, he would hardly have replied that it was a matter entirely of internal regulation, and that but for the promises volunteered we should have no right to mention the subject. I wish the House now to consider what has been done, to make reparation for the long-continued breach of Treaty engagements in this matter, and also what steps have been taken to fulfil those promises, which were really not volunteered, but resulted from a frank recognition by the Spanish Government of our right to be heard upon this subject. The facts are these. The Slave Trade went on constantly increasing till about 1862, but afterwards diminished; and within a few years of that time, before the commencement of the Cuban insurrection in 1869, it had come entirely to an end. That, no doubt, was a great gain; but those who had, down to that time, been illegally reduced into servitude, were still deprived of their freedom. During the insurrection, the insurgents proclaimed the total and immediate abolition of Slavery wherever their power extended, and the question became complicated with the difficulties arising out of that insurrection. In 1870 a declaration was made in the Cortes that the Spanish Government had at last determined to put an end to Slavery. General Prim requested the British Minister at Madrid to communicate that declaration to Her Majesty's Government, with an assurance of their sincere intention to carry it into effect. In the same summer a law was proposed by Senor Moret, and passed the Cortes, upon the subject; but it was very far from carrying out the declaration; it only provided for the liberation of slave children born subsequent to the promulgation of the law after they should have undergone a period of forced service, absolutely undistinguishable from slavery, till they were 18 years of age, and very little better till they were 22; and for the emancipation of slaves above 60 years of age. It also declared that the Emancipados should be put into full possession of the rights of freemen; but it left the execution of that provision to local boards. Mr. Layard was, however, requested to communicate assurances that this measure would be followed by others providing for the complete abolition of Slavery. Six years afterwards, Mr. Consul Crawford said that the practical working of that Act would be

> "To maintain slavery, not for 22 years, as some persons suppose, but for an indefinite period. In fact," he continued, "it is the Emancipado system revived on a sweeping scale. The traffic in Emancipados still continues."

Now, so far as Cuba is concerned, this is the last step that has been taken. Nothing has been done for Cuba in the nine years since the passing of that most imperfect law. A debate occurred upon the subject in the House of Commons in 1872, and an Address to the Crown was proposed; but as the answer given by the Government of that day justified the expectation that they would lose no favourable opportunity of moving in the matter, a Division was not then taken. Since that time, I am happy to say, one step has been taken by Spain in the right direction, though not in Cuba. The slaves in Porto Rico were emancipated in March, 1873. I mention this with great satisfaction, as it shows that there are statesmen in Spain who are perfectly sincere in their desire to fulfil the promises which have been made. I have every reason to believe that this great step has been successful, and is found to have inflicted no practical injury upon the Colony. The obstacles which existed in Cuba during the time of the insurrection have been removed long enough to entitle us to ask that no more time should be lost in the complete accomplishment, there also, of this great object. It is now considerably more than a year since the insurrection has been suppressed, and nine years since the original assurances were given by General Prim and Senor Moret. I can assure your Lordships that it is from no want of friendly feeling towards Spain that I now bring this question forward; on the contrary, I am fully convinced that those who desire to persuade Her Majesty's Government to bestir themselves in this matter are among the best friends of Spain. There is not one of your Lordships, I am sure, who does not desire that we should be on the best terms with Spain, who has not felt sympathy with her in the manifold troubles and difficulties through which she has passed, who does not rejoice in the happier prospects which seem to be now before her, or who would not be inclined to condone the great forbearance which the British Government has manifested. I have a right to call it forbearance; remembering, as all your Lordships must remember, the very different course taken by this country with Brazil, a nation bound to us, on the subject of Slavery, by obligations not more stringent than those of Spain—remembering, also, what the result of the course so taken with Brazil has been. I cannot, however, and I do not, regret that our attitude towards Spain has been uniformly friendly, forbearing, and considerate. But for the sake of Spain herself, and for the credit of this country, there ought to be some limit to inactivity and silence. The influence of the British Government is very great; it cannot be used in a better cause. Cuba is now in a state of comparative tranquillity; but it is impossible to expect that the present state of things in that Island can long continue undisturbed, if the promises so solemnly given for the complete restoration of its coloured population to that freedom which is really their right should very much longer remain unfulfilled. The true interest of Spain, in Cuba itself, requires the fulfilment of those promises. And not her interest only, but her honour. It is surely for the honour of Spain not to be the last nation to fulfil the great work of emancipation. One by one other countries have put down, first the Slave Trade, and then Slavery—first England, then the United States, then Portugal. Spain is the only civilized nation now left in Europe—for Turkey is essentially an Oriental Power—which has not wiped off from her escutcheon that foul stain. It is now for her, I trust at a time not far distant, to put the finishing stroke to this great work, and to crown, by the emancipation of the negro population in Cuba, this great series of the triumphs of liberty.

Moved, That there be laid before the House—

"Copies of all despatches and papers containing any communications on that subject which have passed between Her Majesty's Government or Her Majesty's Minister at Madrid and the Spanish Government, and which have not already been laid before Parliament."—(*The Lord Selborne.*)

THE MARQUESS OF SALISBURY: My Lords, with respect to the Question of my noble and learned Friend, I do not think there will be any difficulty in laying on the Table the despatches which have passed since the last Papers were presented; and when my noble and learned Friend sees them he will be able to form a more competent judgment than at present as to the position of Her Majesty's Government in regard to this subject. In the course of his speech my noble and learned Friend referred to the action taken by Her Majesty's Government in the case of Brazil. That reference appears to be singularly opportune; because it reminds your Lordships that in dealing with engagements, whatever their character, whatever binding force you may attribute to them, which concern the internal government of a country, it is always necessary to ask yourselves which of two lines of conduct you contemplate pursuing. It is, perhaps, an inconvenience, resulting from our national habit of discussing foreign affairs in the open forum of debate, that in regard to questions which we ask ourselves we also inform foreign nations of the answers. But, nevertheless, we shall never come to a clear idea of our policy on such a question as this, unless we draw in our own minds the distinction between those matters which we can push to the *ultima ratio*, and those other questions where we should employ the moral influence of England, but not think of going beyond it. My noble and learned Friend will forgive me for saying that I do not think it is my business in this place to interpret Treaties. Any interpretation which my noble and learned Friend may give from the Bench opposite he is at liberty to modify if he were to migrate to the Woolsack; but I can hardly repudiate the interpretation of a Treaty given by me in this place, and I might inadvertently make use of some inaccurate word or phrase, which did not express my real meaning, but which might be construed afterwards as binding Her Majesty's Government to a particular interpretation. Therefore, I shall avoid the snare which the noble and learned Lord seems to have laid for me, of speaking too confidently and distinctly of the precise character of the obligations which bind Spain to us in respect of this question of Slavery. Whatever their extent may be, it seems clear that it is by moral influence only that they can be enforced. I ask my noble and learned Friend to place himself in the position of a Spanish statesman before he determines the precise vigour and rapidity which the English Government should use in putting these obligations into action. There is no matter upon which all nations are so sensitive as any interference with their internal government; but if you may distinguish between nations, those which are ruled by popular Assemblies are infinitely more sensitive than those ruled by a despotic Power. There is no action of diplomacy that is so difficult as urging upon a nation governed by a popular Assembly, or in which a popular Assembly bears a large share of the government, any change in its internal laws. The slightest appearance of undue concession on the part of the Ministry of the country is at once seized upon by the Opposition as truckling to the foreigner. In Spain the Opposition has a characteristic which distinguishes it from Oppositions in other countries—they are singularly sensitive of the honour of their country. There is no charge likely to be more fatal to a Government—no charge against which it feels itself bound to provide with greater care—than that of submitting its internal legislation to the requirements, or even to the importunate advice, of any foreign critic or Ally. These considerations must be well borne in mind by anyone who forms an opinion on the action of the Spanish or of the British Government in pressing this matter upon them. I will venture to read to your Lordships an extract from a speech of General Martinez Campos, about a month ago, in which he showed the precise attitude Spain is taking. He said—

> "The Government must see that the scales are equally weighted, must take into account the social problem, must declare at once that it never had the intention of immediately emancipating the slaves. The intention of the Government is to hasten the freedom of every slave; but it was never stated that immediate emancipation was to be declared, that all Cuban slaves were to be at once considered free from all control; for this is neither just nor feasible in the interest of the slaves themselves, for, in order to grant their liberty, some preparation, which does not exist, is necessary. Granting them their freedom is equal to casting them into the fields and into licentiousness. They are very numerous, and we would not go and lose the Island of Cuba by virtue of a decree."

Take yourself back in history some 50 years, when Slavery was still in force by law in the English Colonies, and imagine that France had then shown some great interest in urging the emancipation of slaves upon the consideration of England — had pressed for the abolition of Slavery on all occasions, and had discussed the motives of England freely in debate—would it not have been the case that the Ministry of the day would have shown great doubt, difficulty, and hesitation in yielding to the demands of foreigners in that respect? And if the Ministry had shown any slackness, would not the Opposition have made it one of the capital charges against them that they had not been sufficiently careful of the national honour? Supposing, again, there was any institution of ours to which foreigners had a conscientious objection—capital punishment, for instance—and were to urge upon us the policy of remitting the penalty in each case—I do not place this quite on the same footing, because there is an absense of Treaty obligations—I am sure noble Lords opposite would be the first to denounce the dishonest and unpatriotic Ministry which modified its internal policy in compliance with the dictates of a foreign Government. I have made a statement with reference to the present intentions of the Spanish Government, and have pointed out that they maintain as strongly and distinctly as ever their intention ultimately to emancipate the slaves. I have shown that—according to their own statement at least—it is merely a question of time, mode, conditions, and precautions; and I can only end by saying that Her Majesty's Government do not yield to my noble Friend in the least degree in their desire to get rid of Slavery. If we do not press the matter as rapidly and as vigorously as you desire, it is from the conscientious belief that we should retard, instead of accelerating, the object we have in view. If you once admit that an object of this kind is to be obtained by moral influence, you must, at the same time, admit that it can be obtained only by paying a careful and most respectful regard to the property, sentiments, and rational feelings of the persons whom you address on the subject. It is only by restraining our natural anxiety to get rid of one of the greatest evils that has ever cursed humanity, and our natural wish to add, if it might be in our time, one more achievement to the many which England has already won on this great field—it is only by restraining ourselves in this respect that we believe we shall bring the matter to a speedy issue, and enable the Spanish Ministry to persuade those whom they are obliged to convince to follow in what we sincerely believe to be their own high-minded and humane instincts upon this great question. I can assure my noble and learned Friend that the matter has engaged the careful attention of the Government; and that, so far as we are concerned, we shall lose no opportunity of exerting such influence as we possess towards attaining the object he has in view.

Earl GRANVILLE said, he entirely agreed with the noble Marquess that there were judicious and injudicious ways of pressing a subject of importance upon a foreign Government; but it was not right to say that because a country had representative institutions other countries were not to press for a fulfilment of Treaty engagements which that country had made. He repudiated such an idea altogether, so far as England was concerned. He was afraid that both in this country and in Spain the speech of the noble Marquess would not convey the impression of any great desire to abolish Slavery—he had, in fact, made a speech that sounded like a defence, not of our Treaty engagements, but of the Spanish Government. The noble Marquess asked what we should think if foreign Governments made representations to us with regard to capital punishment in this country? But the fallacy in that argument was that on the subject of capital punishment a foreign country would have no Treaty engagements with us. That appeared to him (Earl Granville) to make the whole difference in the matter. The noble Marquess deprecated remonstrances which might excite the feelings of the Spanish people; but the fact was that at this very moment there was a debate going on in the Spanish Chambers, in which the Opposition were pressing the Government to do exactly that which his noble and learned Friend beside him desired to see done. He accepted the assurances of the Foreign Secretary that Her Majesty's Government were in earnest in this matter; and he hoped that the Papers to be produced would show that the Members of the present Administration had done a little more than the speech of the noble Marquess indicated.

THE EARL OF BEACONSFIELD: My Lords, I feel convinced, from long experience now on this question of Slavery and on communications with foreign Powers, that it is not wise to rest too literally upon the terms of a Treaty; but rather that we must begin upon friendly and, comparatively speaking, private representations to foreign Courts. What my noble Friend has said is perfectly true—that there is in every State, and especially where there are free and representative institutions, a great deal of jealousy as to any interference with what are called "domestic institutions." The noble Earl who has just spoken has reminded your Lordships—and I believe there is not the slightest doubt as to the accuracy of his statement—that at this very time the Government of Spain are pressed by the Opposition in favour of the very view which both the Government of England and the noble and learned Lord are anxious to support; but would the Opposition in Spain have been pressing the Government of that country for a suppression of Slavery in Cuba if there had been that systematic pressure from a foreign Government on the Spanish Government? I venture to say that had we taken any extreme step upon the subject with the Government of Spain the Opposition at Madrid would not have advocated, as they do at present, the views which they now hold. I do not mean to say that they are advocating them now with insincerity; but they must have felt that they were not appealing with success to their own Government if they were merely echoing and supporting the claims of any foreign Power on the same question. I feel that the course which the Government in this country have taken at all times—by the noble Lords now in Opposition, and by those sitting at present upon this Bench—has been almost identical on the particular matter before us. There has been, I think, perfect consistency in the conduct which this country has pursued for the suppression of Slavery. It has taken every opportunity of binding foreign Powers by Treaties; but it has never, in entering into those Treaties, contemplated that they were, as a matter of course, to be enforced in the particular manner to which the noble and learned Lord has referred if there were any apparent reluctance on the part of a foreign Power to fulfil its engagements. Her Majesty's Government have trusted as much as they can to moral influence, and they must continue to trust to moral influence in order to gain the desired end. At the same time they are always in favour, if an opportunity is given them, of binding by Treaties foreign Governments to the completion of an object which is not only dear to this country, but which, it must be satisfactory to feel, is one that interests almost every civilized State.

Motion (by leave of the House) *withdrawn.*

ARMY DISCIPLINE AND REGULATION BILL.—(No. 156.)

(*The Viscount Cranbrook.*)

SECOND READING.

Order of the Day for the Second Reading, read.

VISCOUNT CRANBROOK, in moving that the Bill be now read a second time, said, that for a long time there had been a pretty general opinion that the old Mutiny Act, which was an accretion of various enactments since 1689, was a somewhat inefficient instrument for the government of the Army; and in recent years those who had charge of passing it through the other House of Parliament were well aware that many parts of it were difficult to defend, and ultimately it was agreed that the subject should be referred to a Committee. Our Army had been governed by various Acts of Parliament, by Articles of War, by Royal Warrants, and by General Orders and Circulars issued from the Horse Guards. Under those various documents it was sometimes difficult to ascertain by what rule the Army should be governed, and more especially questions arose between the Articles of War and the Mutiny Act. A Commission in 1869 recommended that the Mutiny Act and the Articles of War should be carefully re-drawn; and when his noble Friend opposite (Viscount Cardwell) became Secretary of State—he believed as early as 1871 or 1872—he referred the question to the Judge Advocate General, Mr. Davison, a man very eminent in his Profession, highly qualified for the work, and whose untimely death was a great loss to the Public Service. Subsequently, the subject was carefully and repeatedly considered by the Parliamentary draftsmen and the authorities, including Mr. Ayrton, who, while Judge Advocate General, gave great attention to the subject with results which he was happy to have the occasion to acknowledge. When, therefore, he (Viscount Cranbrook) entered into Office he inherited a great amount of information which had been accumulated by his Predecessor. He was too much occupied during his first year or two of Office to pay much attention to the subject; but last year a Committee was appointed in the House of Commons, over which Sir William Harcourt presided. No one was better qualified than Sir William Harcourt to enter upon the question; and it was only right that he should, on the part of the Government, thank him for the pains he took in the Committee and for the support which he gave in the other House to the main portions of the Bill. He should come at once to the Bill, and in dealing with it he had to apologize for the shortness of the time their Lordships had for the consideration of it, and for the request which he had to make—a matter of still greater moment—that no Amendment should be made in the Bill—because, otherwise, the Bill could not be passed before the time at which it was necessary to obtain the Royal Assent. He felt sure that, however much their Lordships might wish to discuss the Bill, or to change some particular details in it, they would patriotically abstain on this occasion, in order that the Army might be placed immediately under the government of an Act which was manifestly a great improvement on that law which had existed heretofore. The Bill was divided into five Parts. The first Part dealt with "*Discipline*"—which included "Crimes and Punishment," "Arrest and Trial," and "Execution of Sentence." The Bill defined the persons who were subject to it—officers and soldiers, and—which was an important change, assimilating the operation of the law to the Indian Act—camp-followers and sutlers. In future, as in India, camp-followers and sutlers would be brought under military law. The next point was "Military Offences." Military offences were grouped in the order of their importance. There was a distinction made between offences committed on active service and offences committed in time of peace—because an offence which might be a simple one in time of peace might in time of war lead to the destruction of an Army or to the serious injury of a strategic movement. With regard to the punishments that might be inflicted under the Act, though there was a maximum punishment laid down for offences, it by no means followed as a necessary result that the maximum punishment would be inflicted. Power was now given to every kind of court martial to try every kind of offence, in order to prevent the system hitherto adopted in the Army of minimizing offences so that they might be tried by the lower courts martial. At the same time, care would be taken that none of the most serious offences should be tried by the lower courts martial. It was not necessary to take special notice of these punishments save one. He referred, of course, to corporal punishment, which had given rise to a good deal of discussion in the other House of Parliament. There had been an impression in the country—quite an erroneous one—that corporal punishment existed in the Army for all sorts of offences in time of peace. That was not the case. Corporal punishment existed in time of peace for offences on board ship—not on board Her Majesty's ships, because there soldiers came under naval discipline—and ceased to be under military discipline; for troops on board ships not belonging to Her Majesty there was a power given under the law, as it now existed, to inflict corporal punishment. By the present Bill this power ceased to exist. Then, with respect to the amount of punishment to be inflicted in the Army, when the Bill, was first introduced it was limited to 50 lashes; but, by an Amendment which was made in the other House, 50 lashes was reduced to 25. For his own part, he did not think that the question of degree was the question of importance in this matter. The question of the necessity of punishment could be decided only by those who had the charge of exercising it; and until the country came to a more satisfactory state of things in the Army he believed, in the interest of the soldier himself, it was better that this sharp and decisive punishment should be inflicted at the moment and on the spot than that an attempt should be made to drag a number of prisoners, soldiers, or camp-followers in custody with the Army. The question was now brought to this point. The power to give corporal punishment was no longer vested in the provost marshal of his own will; but the provost marshal had power to take immediately into custody an offender and summon a regularly constituted court martial, composed of officers on the spot, who would order the infliction of the punishment which they might adjudge. That seemed to him a protection to the soldier and the camp-follower, and he hoped that it would not too much weaken the power of the provost marshal. The punishment of flogging was in future to be inflicted only for offences which rendered the man liable to sentence of death, and those offences were limited to the breach of the laws of the Army in the field on active service. Having begun with no corporal punishment in time of peace except on board ship, they had done away with it in that case, because on board ship they had the power of custody; but in the field in time of active service, the Bill still left the power in the hands of the courts martial that where the maximum punishment was death they would be able to inflict the lesser punishment of the lash. For his own part, he quite admitted that corporal punishment had an unpleasant and disagreeable sound when applied to adults; but when it came to a question of the bullet or the lash, how much better was it that, under strict regulation, and under the care which would now be exercised, the lash should be used instead of putting a man to death for an offence which, perhaps, it was felt did not deserve that penalty? They had always a certain number of men of bad character in the Army, and the camp-followers were certainly not of the highest type, and it was essential that they should have the power of keeping such persons in order. In time of war, in the case of passing through a country where it was most necessary to respect the feelings of the population, the stealing of an egg from a hen's nest might be a most serious offence; and camp-followers or others who would take an egg would not stop there—they would more likely take anything they could lay their hands on if they had the opportunity. It was thus essential to the discipline of Armies that there should exist a power to inflict punishment upon offenders with the utmost promptitude. He had heard it suggested that persons offending should be handcuffed and taken on with the Army; but he would venture to suggest that no Army which carried with it an indefinite number of handcuffed soldiers and camp-followers could possibly perform those strategic movements which were from time to time necessary to success. Having looked carefully through the Bill, he was unable to admit that, as far as the punitive portions of it were concerned, there was much difference between it and the Mutiny Act, which it was intended to supersede; but such differences as there were between the two sets of provisions would not tend to the disadvantage of the soldier. Several of the provisions would be strongly in favour of the soldier—as, for instance, as regarded arrest, it was provided that the trial of a man must take place within eight days after his arrest, unless sufficient reasons were given for delaying it—the power of commanding officers to inflict imprisonment for absence without leave was extended to 21 days, but power of appeal was given to the soldier. Again, formerly, when a man was acquitted by court martial, the decision was not made known for some time; but, under this Bill, it was necessary at once to announce the acquittal and order the discharge from custody of a soldier who had been charged with offences against military law and declared not to have been guilty of the offences imputed to him. The only other remark which he felt called upon to make, as far as this branch of the Bill was concerned, was that ample power of appeal was given, alike to officers and soldiers who thought they had been wrongfully accused of offence. The part of the Bill which related to "Enlistment" would make some slight alterations, principally in reference to the transference of men from the Army to the Reserve. The 3rd Part, which related to "Billeting and Impressment of Carriages," required no special notice. The 4th Part consisted of "General Provisions," in which he might refer to the clauses which related to Military Prisons. In dealing with military prisons, care would be taken that soldiers should not be associated with bad characters. That was really the whole Bill; and their Lordships would be surprised, as he had himself been, when he went through the Bill in connection with the old Mutiny Act, to find how slight were the changes effected, and yet, at the same time, upon how different and how firm a basis military discipline and military law generally were established. It would be a great advantage to have this measure, instead of being obliged to go every year through clause by clause of the Mutiny Act. Everything concerning the discipline of the Army was now brought into definite shape, and so clearly set forth, that every man must understand his duties and obligations. In passing this Bill hastily, which he asked their Lordships to do, he thought he might promise that their Lordships would find that, in making great haste, they had also made good speed.

The Duke of CAMBRIDGE: My Lords, I may be permitted to say a few words in reference to this Bill, speaking entirely from a professional point of view, and without reference to any other observations which may be made from either side of the House. I wish to say, in the first place, that we—the military authorities—are in entire accordance with the views of Her Majesty's Government on the subject-matter of this Bill, and the mode in which it is dealt with. It is to be deplored that it should have been stated, as I have sometimes seen, that a difference of opinion exists between Her Majesty's Government and the military authorities with regard to certain points in this Bill. I can only say that I earnestly hope that the time will never arrive at which the deliberately formed opinions of Her Majesty's Government on military questions, no matter to which Party in politics it may belong, will receive any other than full and due support from the military authorities in this country. There may be difference of opinion at first when important points are raised; but when they have been decided, the decisions are accepted by the military authorities with that loyalty and determination which they are bound to show, whatever Party may be in power. As regards the question of discipline, with which I am principally concerned, I agree with the noble Viscount who has moved the second reading that there is very little to be found in the present Bill different from the old Mutiny Act and the Articles of War, which the measure is intended to supersede. The principal difference is that the law is put down in such a shape that it will be much more simple and much more easily understood. All changes of this kind must take a little time to be appreciated by those who have to deal with them. This is a large and comprehensive measure; but I firmly believe that in the long run it will be a much more simple piece of legislation than the old Mutiny Act. As regards the maintenance of discipline, the Bill, I believe, contains provisions under which we shall be able to maintain discipline as thoroughly and as efficiently as it ought to be, and as it has been in the past. With regard to the question of corporal punishment, about which there has been so much discussion, I am fully persuaded that every officer in the Army would desire, if possible, to get rid of all severe and disgraceful punishments; but we are called upon to carry out the discipline of the Army, and the first consideration is, how is that discipline to be maintained? My conviction is—and I believe that it is the conviction of every officer in the Army—that unless corporal punishment be retained in the Service it will be impossible to maintain discipline—unless the officers have power to deal with cases as they arise, and unless an Army is kept in a state of discipline, it is a rabble and a mob—it is useless—it is worse than useless—it is dangerous. You must maintain discipline at all costs, and I do not believe that any outrage or injustice will arise under the provisions of this Act. It is said that flogging is a disgraceful punishment. My Lords, all punishments are degrading—it is in the commission of the offence, and not in the nature of the punishment, that degradation consists. What you want to find in a punishment is that it should deter from crime. If the effect of this punishment is to deter men from committing crime, that is the best defence that can be offered for it. The alternative, as regards certain offences, lies between flogging and shooting, and surely flogging is much less severe than the punishment of death. Very serious offences may be committed while the Army is in the field. For instance, an outbreak of mutiny might occur in face of the enemy, or some serious crime of that sort might be committed which must be dealt with instantly and effectively. We are told that foreign Armies have a variety of other punishments. In some, it is said, men are tied up by their thumbs, while in others men are bound hand-and-foot to the wheel of a gun-carriage. I do not know whether such punishments are inflicted or not, but I have seen it stated that they are:—Would it be judicious or wise, however, for us to leave it to the discretion of an officer to resort to punishments of that kind? I am informed that these punishments are inflicted incidentally, as it were, by the officers in command of troops. In my opinion, it would not be at all justifiable for us to leave to an individual officer the responsibility of any punishment to which he might resort in difficult circumstances, because we have not the courage to put what we think right into law. It would be unjust to officers to place them in this false position, and Parliament would be acting with a great want of moral courage if it did not state that, in certain circumstances, corporal punishment may be inflicted. I sincerely hope the necessity for such punishment may never—or, certainly, very rarely—arise; but the effect of having the punishment on the Statute Book is the very thing which will deter men from committing crimes for which corporal punishment can be awarded. Although most anxious to have no punishments which are not justly meted out to men, I am prepared to say that, under existing circumstances, it is necessary and essential to maintain this punishment. With regard to the reduction in the number of lashes, it will, I believe, be found that 25 lashes will produce as great a deterrent as 50; and, therefore, I think it is perfectly justifiable to accept this modification. My Lords, I consider that the condition of a soldier, under this new law, will be very much better than it was under the old. With regard to the subject of enlistment, the Bill makes an important change. Formerly, if a man took the shilling, he was from that moment considered to be a soldier, although he might have been in a state of drunkenness at the time; but under the proposed new law, the shilling test is done away with; if the man does not choose to appear before the magistrate, he may remain away; and he may, if he likes, claim his discharge within three months. This and other points in the Bill are of considerable importance. I am convinced that when the Army comes to understand this measure they will admit that they are in no respect in a worse condition, or under worse treatment, than they were under the old Mutiny Act and Articles of War, and that the officers will be able to maintain the discipline of the Army, which is, after all, the first object we have at heart, and the necessity for which I am bound to press most earnestly on the attention of your Lordships.

VISCOUNT CARDWELL said, he should give the Bill his most sincere and hearty support. His noble Friend the Secretary of State had introduced it in terms which left him nothing whatever to complain of, and the illustrious Duke had also made a most satisfactory statement. The provisions of the Bill would, he believed, effect a very great change for the better in the law relating to military service. Ten years ago a Royal Commission, over which his noble Friend opposite (Lord Winmarleigh) presided, made its Report to the Queen, and the first and chief of its recommendations was that the Mutiny Act and the Articles of War should be carefully re-drawn. In 1871, he (Viscount Cardwell) had the assistance of Mr. Davison, one of the most able men who ever filled the Office of Judge Advocate General. He had expectations that in a very short time—probably in 1872—Mr. Davison would have been able to present to the House of Commons the result of his labours; but, unfortunately, that gentleman's career was cut short by an untimely death. Afterwards came the time when he had the assistance of his right hon. Friend Mr. Ayrton—and he might here remark that he was glad to hear his noble Friend opposite speak in such well-merited terms of Mr. Ayrton's services. He might say that there was no Judge Advocate General of modern times who had earned to a greater extent the confidence and approval of the illustrious Duke, and of the military men by whom he was surrounded, than Mr. Ayrton did when he held that Office. At the beginning of 1874 he confidently expected to see Mr. Ayrton lay his Bill on the Table of the House of Commons; but their Lordships knew very well what happened in that year. It had, therefore, fallen to the right hon. and gallant Gentleman the present Secretary of State for War to introduce this Bill, which had been sent up to their Lordships on the responsibility of the Crown with the concurrence of the other House of Parliament. With regard to the vexed question of corporal punishment, he might say that he was very much struck on referring to what passed in 1867, when an important step was taken in mitigation of that kind of punishment in the Army. No less sagacious a person than the late General Peel was recorded to have said that if they reduced corporal punishment in time of peace to the dimensions then spoken of, or something to that effect, they would never be able to recur to it in time of war. What he wished to found upon that remark was this—that they did not know what they would be able to do in the way of reducing that punishment if they proceeded tentatively, and so as always to have the results of experience to fall back upon. They might be able to do, in the course of years, things which they now hardly expected to be able to do at all. They had, during the 12 years which had elapsed since General Peel's prediction, gone on improving the condition of the soldier; and, according to the testimony of the Inspector General of Recruiting, the popularity of the Army was rapidly increasing, and there was a much greater disposition to enlist than formerly existed. If they went on perpetually improving the position of the Army in the manner done by the present Bill, and by other ways, they would still further encourage that disposition. He rejoiced that the first step had been taken in fulfilling the recommendations of his noble Friend's Commission; and they might depend upon it that this measure was a very great step towards the simplification of the law and putting it in a form which would reach the comprehension of the soldier. If they went on for the next 12 years, or for a shorter time than that, in their course of continually ameliorating the condition of the soldier, he did not at all despair of their arriving at the point at which they might go even beyond the limit contemplated by this Bill in doing away with corporal punishment. They might have the opportunity, in the next few years, of considering whether any amendment in this measure would be necessary, and he was sure its practical working would be carefully examined by those who were responsible for the administration of the Army.

THE EARL OF LONGFORD said, he had no intention of disturbing the harmony with which the Bill had been received by their Lordships. The former Mutiny Act provided sufficiently for the government of the Army, it protected the rights of officers and of soldiers, and of the public; however, if Parliament insisted upon a Bill more symmetrical in arrangement, and more precise in language, he should make no objection; but he rose to express his hope that the Bill, or some other measure which might hereafter be introduced, might have the effect of inducing a superior class of recruits to enlist. He was afraid that that point had not yet been reached. Although he was aware that no Amendments in the present measure could be carried, there were one or two points in it which it was especially desirable should be amended in a future year. The 72nd clause unduly limited the power of the provost marshal. Anyone who had seen the legion of devils who followed an Army would know that a more summary power of dealing with them was necessary than that provided in the Bill. He also thought that the Secretary of State would require greater powers than he now possessed for utilizing the services of the Reserve.

LORD TRURO held it to be a mistake to suppose that men of the respectability which was desired in the British Army were for one moment deterred from enlisting by the fear of being flogged.

That punishment was feared only by men of the most unfortunate habits and who were looked upon as belonging to the lowest class of our population. He had heard of the case of a soldier in a very distinguished regiment who had been five or six times flogged, and it made no impression whatever on the man, who was now a Scripture reader at Liverpool. Corporal punishment, under the safeguards interposed by this Bill ought, he thought, to be maintained.

Earl GRANVILLE concurred in regretting that circumstances made it impossible for their Lordships to discuss the details of this very important measure. He could not, however, say that he regretted that fact on his own account; because he remembered the rule once laid down by a noble Lord—that one should only speak in that House on subjects on which he not only knew something, but on which he was known to know something. He was afraid, therefore, that any remarks which he might have made on the details of the Bill, which had been handled professionally by the illustrious Duke on the Cross Benches, would have had no weight whatever. But, on the other hand, he protested against this measure being considered as necessarily perfect on some of the subjects which had been in controversy. The illustrious Duke had said the Bill contained everything which he thought essential for the discipline of the Army. But the Government had introduced the Bill, after a great deal of consideration, in a certain form with regard to flogging; and all knew that in "another place," under considerable pressure, they had made three distinct concessions in that matter. Either, therefore, they had not considered the subject in time, or the concessions they had now made were against their judgment. This being so, he begged to say that, as far as he was concerned, he could not accept the present limitations as being necessarily perfect of their kind.

Lord DENMAN said, that the Government might quote from Horace—

> "Adsit
> Regula peccatis quœ pœnas inroget æquas
> Nec sentica dignum horribili sectere flagello."

And the measure was one which could be altered next Session. He hoped that it would pass without alteration immediately.

Motion *agreed to;* Bill read 2ª accordingly; Committee *negatived;* and Bill to be read 3ª *To-morrow.*

House adjourned at a quarter past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 21st July, 1879.

MINUTES.]—Supply—*considered in Committee*—Civil Service Estimates, Class III.—Law and Justice, Votes 1 to 8.

Public Bills—*Resolution* [July 18] *reported*—Army Discipline and Regulation (Commencement) [Expenses]*.

First Reading—Civil Procedure Acts Repeal* [253].

Second Reading—Army Discipline and Regulation (Commencement) * [248].

Second Reading — Committee — Report — Bankruptcy Law Amendment [114-254].

Committee—Report—East Indian Railway (Redemption of Annuities) * [244]; Petroleum Act (1871) Amendment* [214].

Third Reading—Railways and Telegraphs in India * [234], and *passed.*

Withdrawn—Indian Marine (*re-comm.*) * [211]; Coroners (*re-comm.*) * [243]; Charity (Expenses and Accounts) (No. 2) * [230].

NOTICES OF QUESTIONS.

TREATY OF BERLIN—THE JEWS IN EASTERN ROUMELIA.

Mr. Serjeant SIMON gave Notice that on Tuesday he would ask Mr. Chancellor of the Exchequer, Whether Her Majesty's Government have received any and what accounts of the outrages committed in Eastern Roumelia upon Jewish refugees returning to their homes at Carlovo; and, if so, what steps have been taken for their protection and for their security in the future?

RUSSIA—TREATMENT OF POLITICAL OFFENDERS — ALLEGED RUSSIAN ATROCITIES.

Mr. J. COWEN gave Notice that on this day week he would ask the Under Secretary of State for Foreign Affairs, If the Government have received any information as to the manner in which

Russian subjects, on mere suspicion of political offences, are being driven by thousands into slavery in Siberia; if they have been informed that 700 persons, mostly men and women of education, have been packed in the hold of a small ship bound for Saghalien, without light or sufficient food or air, that 250 of them died on board, and 150 were landed in a dying state; further, whether it is true that large bodies of Cossacks are being forcibly ejected from their houses and homes, and compelled to settle in Colonies from the mouth of the Usuri river to Vladevostock, for the purpose of establishing a chain of military posts against the Chinese; and, whether, since remonstrances were addressed by Her Majesty's Government to the Government of Naples against the treatment of Poerio and his colleagues in 1855, and to Russia against her treatment of the Poles after the insurrection of 1861, to Turkey in 1876 against the action of Chefket Pasha and others in Bulgaria, these cases do not furnish precedents for remonstrating with Russia against such treatment of alleged political offenders?

QUESTIONS.

ARMY—ORDNANCE DEPARTMENT—CLAIMS OF MR. PADWICK.—QUESTION.

Colonel BERESFORD asked the Secretary of State for War, Whether any person other than Mr. W. F. Padwick has claimed to be the inventor of the system of fitting elongated projectiles with studs of soft metal; and, if so, if he would give the name of such claimant, or claimants if there be more than one?

Lord EUSTACE CECIL: Experiments were conducted in France, in 1850, with elongated projectiles with soft metal studs—four years before Mr. Padwick made his proposition. These experiments having proved successful, the Select Ordnance Committee, after trial, recommended their adoption into the British Service in the year 1863. Subsequently, they recommended that Mr. Padwick should receive £100 for having drawn attention to the subject in 1854. The reason that this invention was not adopted sooner into the English Service, between 1854 and 1863, was

that Sir William Armstrong's breech-loading system with lead-coated projectiles had been adopted. There is no trace of any claim having been made previous to the one put forward by Mr. Padwick.

INDIA—FINANCE ACCOUNTS.
QUESTION.

General Sir GEORGE BALFOUR asked the Under Secretary of State for India, Whether the authorities in India have yet supplied the figured Statements which will enable Members to compare the figures in the latest Finance Accounts with those figures in the Accounts of prior years; whether the Debt Statements have yet been obtained from India; and, when will the Second Part of the Finance Accounts be delivered, and the distribution Statement of the Capital spent in different parts of India on productive Public Works in the two last years be ready?

Mr. E. STANHOPE: The second part of the Finance Accounts will be delivered to Members in the course of a few days. The distributive Statement of Capital expended on Public Works has been received, and a copy shall be sent to the hon. and gallant Member. As regards all the other statements to which the hon. and gallant Member's Question refers, I am sorry to say that they have not yet been received from India. The recent changes in the forms of account have caused some delay; but I will do my best to obtain them quickly.

CHARITY (EXPENSES AND ACCOUNTS) BILL.—QUESTION.

Mr. W. H. JAMES asked Mr. Chancellor of the Exchequer, If he can state what course the Government propose to take with respect to the Charity (Expenses and Accounts) (No. 2) Bill; and, whether, if he proposes to abandon the Bill, he will consent to refer the subject to which it relates to a Select Committee?

The CHANCELLOR of the EXCHEQUER, in reply, said, the subject was complicated, and, therefore, they proposed to withdraw the Bill for the present Session, and introduce next Session another Bill, which, if necessary, would be referred to a Select Committee.

TREATY OF BERLIN—THE RUSSIANS IN EASTERN ROUMELIA.

QUESTIONS.

Mr. J. R. YORKE asked, Whether at the beginning of June, and since the transfer of the province to the Turkish Government, the Russian military authorities in Eastern Roumelia have condemned some Mussulmans, subjects of the Sultan, to transportation to Siberia; whether General Stolepine has levied a fine of 35,000 piastres on the district of Kazan (Kotel), in the neighbourhood of Slivno, for having applied for the appointment of a Mussulman Bailli; whether the Russian authorities have hitherto declined to hand over to the authorities of Eastern Roumelia the district of Ichtiman; and, whether any remonstrances have been addressed by Her Majesty's Government to the Imperial Government of Russia in respect of such violations of the Treaty of Berlin?

Mr. BOURKE: In regard to the first Question of my hon. Friend, what we have learned on that subject is this—that the Governor General of Eastern Roumelia has requested General Stolepine to send certain persons who had been tried at Philippopolis for punishment to Siberia; but we have not yet heard whether that request has been complied with. As to the second Question of my hon. Friend, we have heard that a fine of 35,000 piastres was levied by the Governor General, and that the Russian Government had disapproved of the conduct of the Governor General, and ordered that no fines should be levied in future. As to the third Question, that really involves a boundary dispute, which is now under the consideration of Boundary Commissioners; and as to the last part of the Question, the House, I think, will see that at the present moment we do not understand that there is any cause for remonstrance, and, therefore, none has been made.

Mr. J. R. YORKE: The hon. Member has not stated whether the fine of 35,000 piastres has been restored?

Mr. BOURKE: No notification has been sent us on that point. Our Consul General, from whom we get the information, has not mentioned it.

JUDICATURE ACT (IRELAND), 1877—RE-ORGANIZATION OF THE HIGH COURT OF JUDICATURE.

QUESTION.

Mr. MACARTNEY asked Mr. Attorney General for Ireland, Why no steps have as yet been taken to carry into effect the reorganisation of the offices of the High Court of Judicature in Ireland, contemplated by the Judicature Act, Ireland, which Act became law in August 1877, and came into operation on the 1st day of January 1878; and, who is responsible for the delay which has occurred?

The ATTORNEY GENERAL for IRELAND (Mr. Gibson): Sir, in reply to my hon. Friend, I beg to state that it is a mistake to say that no steps have been taken to carry into effect the reorganization of the Offices. When we were about to initiate this important work, the Lord Chancellor of Ireland expressed an opinion that the charges should be carefully considered; and that work is now so far advanced that I hope it will be completed by the 1st of January, when the time limited by the Judicature Act (Ireland) will have expired.

NAVY—H. M. GUNBOAT "TYRIAN."

QUESTION.

Colonel COLTHURST asked the First Lord of the Admiralty, Whether Her Majesty's transport "Tyrian," about to proceed to the West Indies, is to take out a crew of sixty men for service in another vessel, she having only accommodation for thirty; and, whether the medical authorities have made any representations on the subject?

Mr. W. H. SMITH: Her Majesty's gunboat *Tyrian* is about to proceed to Jamaica to be stationed there; the navigating party will be transferred to another vessel (*Contest*) on arrival. No report has been received from medical authorities as to the crowded condition of the crew; but the Commander-in-Chief represented that there was a difficulty in finding accommodation for the number under orders to embark. In consequence, he was instructed to withdraw 10 men, and he is perfectly satisfied that there is now no overcrowding. The numbers on board are seven officers and 45 men. The established complement of a gunboat like the *Tyrian* is 40 men; but it is usual to embark a few supernumeraries for the passage.

NAVY—THE WHAMPOA DOCK COMPANY.—QUESTION.

COLONEL ARBUTHNOT asked the First Lord of the Admiralty, Where the dock is situated for which a loan of £12.000 was made to the Whampoa Dock Company; what was the date of the above loan; when was the dock completed for which the loan was made; what are the dimensions of the dock; and, whether it has been used by any, and, if so, by how many vessels of war?

MR. W. H. SMITH: The dock is in Aberdeen Bay, Hong Kong. The first loan of £6,000 was made on the 11th of February, 1864, and the second loan of the same amount on the 29th of March, 1866. The loans were confirmed under the 15th Clause of the Colonial Docks (Loans) Act of 1865. The dock was completed early in 1867; the exact date is not known. The extreme length on blocks is 433 feet, the breadth at the entrance is 84 feet, the depth over the sill at ordinary spring tide is 24 feet. The exact number of vessels entering the dock cannot be given; but the dock has been extensively used, and the largest iron-clad—*The Iron Duke*—has been docked. The Kowloon Docks—the only other docks at Hong Kong—were not built until after the Aberdeen Docks, and even now can only take in vessels of small draught of water.

ELEMENTARY EDUCATION — ESTABLISHMENT OF TRAINING SHIPS.

QUESTION.

CAPTAIN PIM asked the Under Secretary of State for the Home Department, Whether, under the Industrial Schools Bill which passed through Committee on Monday last, it is competent for a School Board, or a combination of School Boards, to undertake the establishment of a training ship; and, if a School Board or combination of School Boards can do so, whether he will be good enough to mention the legal authority under which such School Board could take this step?

SIR MATTHEW WHITE RIDLEY: Under Sections 5 and 12 of the Industrial Schools Act, 1866, 29 & 30 *Vict.* c. 118, and Section 28 of the Elementary Education Act, 1870, 33 & 34 *Vict.* c. 75, it is competent for a School Board to undertake the establishment of a training ship. Under the Industrial Schools Bill, which passed through Committee on Monday last, it will be competent for School Boards to combine for a like undertaking.

CORONERS (IRELAND)—LEGISLATION.

QUESTION.

MR. ERRINGTON asked Mr. Attorney General for Ireland, Whether any resolution was come to by the Select Committee on the Coroners Bill as to extending the operation of that measure to Ireland; and, if not, whether he intends to introduce a Bill for dealing with the question as regards Ireland?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON): In answer to the hon. Member for Longford, I may say that the Select Committee to which he refers did not come to any resolution with regard to the Coroners Bill. The Grand Juries (Ireland) Bill dealt with a certain portion of the question; and as the Order for the Second Reading of that Bill has been discharged, I do not think it would be desirable now to introduce a fresh Bill dealing with the other parts of the subject.

CRIMINAL LAW—SEARCHING PRISONERS.—QUESTION.

MR. H. B. SHERIDAN asked the Secretary of State for the Home Department, Whether information has reached him that, at Derby, in consequence of the searching or mode of searching certain persons taken to the police station charged with furious driving, a conflict ensued which ended in loss of life; and, whether, under these circumstances, he will cause some inquiry to be made as to the necessity of stripping and searching persons, male and female, not charged with actual crime?

MR. ASSHETON CROSS, in reply, said, some disturbance of the character indicated by the first part of the Question had taken place; but as the matter would become the subject of a trial for murder he would refrain from expressing any opinion upon it. He had instructed the Inspectors of Constabulary to inquire into and report upon the latter part of the Question.

GREAT BRITAIN AND EGYPT.

QUESTION.

SIR CHARLES W. DILKE (for Sir JULIAN GOLDSMID) asked Mr. Chancellor of the Exchequer, When he will give the House the promised opportunity of discussing the recent interference of the Government in Egyptian affairs ?

THE CHANCELLOR OF THE EXCHEQUER : I am afraid I cannot at present name a day, there is so much Business before us.

SOUTH AFRICA—THE ZULU WAR—THE EXPENDITURE.—QUESTIONS.

SIR GEORGE CAMPBELL asked Mr. Chancellor of the Exchequer, If he can be so good as to explain whence the money came to supply the Military Chest from which the Zulu War is being carried on ?

THE CHANCELLOR OF THE EXCHEQUER : It may be convenient, as this Question is sometimes asked, that I should explain what the Treasury Chest and the Military Chest are. There is a certain fund, a banking account of the Treasury Chest, which is credited with £1,000,000. Out of that fund advances are made for carrying on the Army and Navy Services abroad. Of course, these advances have to be replaced out of the Votes taken for the Army and Navy. That fund is a fund which is primarily applicable to Services such as the war in South Africa. Well, then, the question is, how the money is there raised ? It is partly raised by remittance of specie sent from this country to the Treasury Chest fund, and partly by bills drawn by the Treasury Chest officer of the Colony upon the Treasury in England at long dates. These, of course, are cashed in the Colony and remitted Home, and the money has to be replaced out of the Votes of Parliament. Of course, all the expenses of the war are expenses incurred under some head or another of the Army and Navy Votes, though the ordinary Army and Navy Estimates are not sufficient to meet them. It therefore becomes necessary, in course of time, to vote Supplemental Estimates for Army and Navy Services, to make good the advances which have been made in respect of them out of the Treasury Chest. I may just mention that since the beginning of the financial year on the 1st of April £260,000 in specie has been consigned to South Africa, while £880,000 has been drawn on this country in bills. Most of these are at long dates, so that only £365,000 have been paid, and the rest are in course of payment.

MR. RYLANDS asked, Whether it was the practice to leave any balance in the Treasury Chest on the 31st of March, and not to surrender it to the Exchequer, as in the case of other accounts ?

THE CHANCELLOR OF THE EXCHEQUER : Of course. The Treasury Chest consists of £1,000,000, which ought to be always in its possession. The accounts are carried on in the name of the Service for which the money has been advanced, and, of course, the repayments to the Chest can only be made when the proper accounts have been dealt with. There ought always to be a balance of £1,000,000 in the Treasury Chest.

CRIMINAL LAW (IRELAND)—CASE OF ANN BRADLEY.—QUESTION.

MR. SULLIVAN asked the Chief Secretary for Ireland, If he would state to the House why the release of Ann Bradley, convicted of an attempt to murder Miss Geoghagan, was not upon the terms of a ticket of leave; who is responsible for exempting her from the precautions or conditions of a ticket of leave; and, whether he will lay upon the Table of the House Copies of all Papers relating to the release of this convict ?

MR. J. LOWTHER : It is evident, I am afraid, that a miscarriage of justice has occurred in this case. It appears that the prisoner, who had, in 1875, been sentenced to 14 years' penal servitude, was released in 1876, in consequence of the report of the prison medical authority to the effect that she was suffering from consumption, and that her life would be endangered by further imprisonment. Unfortunately, it seems to have been a practice, under similar circumstances, to grant releases without a ticket-of-leave. This, however, has for some time ceased to be the case in Ireland, as strict directions have been given that a ticket-of-leave should be enforced in such instances, as well as in others. The general question, moreover, of the treatment of invalid prisoners has been under the consideration of the Irish Government, and we are now constructing a prison sanitorium, to which invalids can be removed from ordinary gaols and convict establishments. It will, therefore, be no longer necessary, except in exceptional cases, to let criminals loose again upon society upon medical certificates, as has been done in the case of Ann Bradley and others, and which I confess has, in many instances, whether a ticket-of-leave has been granted or not, constituted a serious evil. As to Papers, though in this case I should have been very glad if I could have given them, I am sorry to find there are none which could be laid upon the Table without establishing an inconvenient precedent, as it has always been the rule to treat such documents as confidential.

Mr. SULLIVAN: The right hon. Gentleman has forgotten to answer the second portion of my Question. Who is responsible for exempting this woman from the precautions or conditions of a ticket-of-leave?

Mr. J. LOWTHER: The responsibility rests on the system which has been in force, and, as I have explained, that system has since been altered.

Mr. SULLIVAN: I beg to give Notice that I shall call attention to the subject on the Estimates.

THE ORDNANCE SURVEY.

QUESTION.

Mr. ROWLEY HILL asked the First Commissioner of Works, What progress is being made with the Ordnance Survey of England and Wales on the 25-inch scale; and, when the survey of the county of Worcester is likely to be commenced?

Mr. GERARD NOEL: Satisfactory progress is being made with the Ordnance Survey of England and Wales on the 25-inch scale. Eighteen counties have been surveyed, rapid progress is being made with 13 others, and six counties have been partially surveyed. With regard to the county of Worcester, I fear some little time must elapse before the survey of that county can be commenced.

SCIENCE AND ART—THE INDIAN MUSEUM.—QUESTION.

Mr. PERCY WYNDHAM asked Mr. Chancellor of the Exchequer, If he would undertake that the contents of the Indian Museum should not be dispersed until the House had an opportunity of expressing an opinion upon the Motion of the Member for the Elgin Burghs; and, whether he would consider the alternative of charging the Estimates with such a sum as may be found sufficient, upon consideration of tho matter, to keep the collection intact?

Mr. E. STANHOPE: I hope that the hon. Member for the Elgin Burghs (Mr. Grant Duff) will have an opportunity before the close of the Session of bringing on his Motion in reference to the Indian Museum. Before that time, no definite steps will have been taken for the removal of the collections. I am aware that my hon. Friend takes a special interest in the Art collection, and we should be very glad to have the advantage of hearing his opinions on the subject before the final decision is come to. Perhaps, therefore, he will be kind enough to communicate with me. The question of a contribution from Imperial funds towards the support of an Indian Museum has been more than once considered between the India Office and the Treasury, but without any result.

RAILWAY RATES FOR AMERICAN PRODUCE.—QUESTION.

Sir LAWRENCE PALK asked the President of the Board of Trade, Whether he is aware that the Railway Companies of this Country have been in the habit of giving preferential rates in favour of American over home produce; that the charge of conveying American meat was *25s.* per ton, and that of English meat *50s.*; and, whether the Railway Companies have any legal right to encourage foreign imports by this preference and advantage, over home-grown meat and cereals?

Mr. J. G. TALBOT: The Board of Trade have no official knowledge or means of ascertaining what are the actual rates charged by Railway Companies for American produce, or, indeed, any other goods they may carry over their lines. With regard to the last part of the Question, the hon. Baronet will, I am sure, see that, important as it is, it is not a matter upon which we can give an authoritative opinion. The hon. Baronet is aware that there are statutory provisions on the subject of undue preference and unequal treatment with regard to any description of traffic to be found in the Railways Clauses Act, 1845, 8 *Vict.* c. 20, the Railway and Canal Traffic Act, 1854, 17 & 18 *Vict.* c. 31, and the Regulation of Railways Act, 1873, 36 & 37 *Vict.* c. 48, and that parties aggrieved have their remedy before the Railway Commissioners, who were specially appointed to carry the two last-mentioned Acts into effect.

CUSTOMS BILL OF ENTRY OFFICE.

QUESTION.

MR. RYLANDS asked the Secretary to the Treasury, If he will state to the House the decision at which the Government have arrived with reference to the Customs Bill of Entry Office, the patent of which expires in the course of the present month?

SIR HENRY SELWIN-IBBETSON: It has been decided to adopt the recommendation of the Committee on Official Statistics and not to renew the patent; but in order to allow time to make arrangements for the future, the present system will be allowed to continue until the end of this year.

THE HORTICULTURAL SOCIETY'S GARDENS, SOUTH KENSINGTON.

QUESTION.

MR. J. R. YORKE asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Commissioners of 1851 have any plans for the utilization of the ground now occupied by the gardens of the Horticultural Society at South Kensington as soon as they obtain legal possession of it; and, if so, whether such plans will be in accordance with the original design of employing the estate for the promotion of science and art; and, whether the said plans will be placed in the Library for the inspection of Members?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that the Commissioners had had several plans under consideration, and these had been referred to and explained in their Reports which had been presented to Parliament every year. The particular plan suggested was not agreed to by Her Majesty's Government; and the Commissioners, on application being made to them, were willing to come to some arrangement, which would, of course, be in accordance with the original design of the Commissioners, for utilizing the ground in question for purposes of science and art.

GERMANY—THE ISLANDS OF THE PACIFIC.—QUESTION.

MR. ALDERMAN M'ARTHUR asked the Under Secretary of State for Foreign Affairs, Whether he will lay upon the Table of the House any documents the Government may have received from Her Majesty's Ambassador at Berlin relative to the Treaties entered into by the German Government with Samoa and other islands of the Pacific?

MR. BOURKE, in reply, said, documents on the subject would by-and-bye be laid upon the Table. At present, however, this could not be done, as negotiations were still pending.

THE METROPOLITAN POLICE FORCE—REPORT OF THE DEPARTMENTAL COMMISSION.—QUESTION.

SIR SYDNEY WATERLOW asked the Secretary of State for the Home Department, Whether the Commission appointed some time since to inquire into the organization and working of the Metropolitan Police Force, have made any Report; and, if so, whether he proposes in consequence to make any alteration in the existing regulations, with the view of improving the condition and efficiency of the force?

MR. ASSHETON CROSS, in reply, said, the Commission alluded to was not a public, but a private Departmental Commission. It had made a Report, and some alterations had been made in consequence, while others were under consideration.

RIVERS CONSERVANCY BILL—LEGISLATION.—QUESTION.

MR. E. W. HARCOURT asked Mr. Chancellor of the Exchequer, Whether the Rivers Conservancy Bill which has just been withdrawn has been altogether abandoned, or whether he can give any assurance that the Government, having regard to the agricultural interests involved, and to the great losses which have been inflicted by the repeated floods of the present season, will take an early opportunity of re-introducing the measure with such amendment as the further examination of its provisions may have shown to be necessary?

The CHANCELLOR of the EXCHEQUER, in reply, said, that it was with regret the Government found themselves unable to proceed with the Bill this Session. They had every intention of introducing a similar Bill next Session?

POOR LAW AMENDMENT (SCOTLAND) BILL.—QUESTION.

Mr. GRANT asked the Lord Advocate, If it is his intention, in the Poor Law Amendment Bill for Scotland, which he is about to introduce, to provide for extending to members of Friendly Societies in Scotland the same privilege in regard to benefit money due to paupers which has been secured to members of Friendly Societies in England by the Poor Law Act Amendment Act of the present Session?

The LORD ADVOCATE (Mr. Watson), in reply, said, that the clauses in the old Act dealing with the property of paupers had been withdrawn from the Bill, which now included only the clauses relative to medical relief and the superannuation of officers.

ARMY—THE NEW RETIREMENT SCHEME.—QUESTION.

Major NOLAN asked the Secretary of State for War, Whether, since it is the intention of the Government to antedate the commissions of officers junior to the Lieutenant Colonels commanding regiments of Cavalry and Infantry who, subject to retirement after five years' command, are, under certain circumstances, retained in command beyond that period, what steps the Government proposes to take to mitigate the severity which the new Retirement Scheme and the prolongation of the Lieutenant Colonels' commands inflict on junior officers in the case of regiments where the Lieutenant Colonel was appointed before the 13th of October 1871, and can consequently remain as long as they please or till removed by death or promotion to General Officer's rank, thus blocking promotion for years, and causing the compulsory retirement of officer after officer?

Colonel STANLEY, in reply, said, the hon. and gallant Member was under a misapprehension in assuming that he had given any definite promise with regard to the subject referred to in the Question. It was rather a complicated one; and he could not say positively at that moment what steps the Government might take to remedy defects in the present retirement scheme; but they would not lose sight of the matter.

ARMY — ARMY OFFICERS AS WAR CORRESPONDENTS.—QUESTIONS.

Sir GEORGE CAMPBELL asked the Secretary of State for War, Whether there is any prohibition against officers on full pay or on active service corresponding with newspapers; whether any such rule has been relaxed during recent campaigns, either in favour of officers generally or in favour of particular officers permitted or appointed by commanding officers to act as correspondents; whether officers so permitted or appointed are relieved from any military duties, and are permitted to receive pay as correspondents; and, whether officers so acting are free to say what they think fit on their own responsibility, or their communications are subject to the control and approval of the commanding officer?

Colonel STANLEY: With regard to the first point, I have to say that officers on full pay are prohibited from corresponding with the newspapers; but it appears, from the answer which has been given by my hon. Friend the Under Secretary of State for India (Mr. E. Stanhope), that the rule had been relaxed in certain instances. Of course, officers in India are not, so far as I am informed, directly under the control of the War Department. With regard to the third and fourth Questions, I could only answer them as a matter of opinion, and my opinion is probably not worth more than that of other persons.

Sir GEORGE CAMPBELL: Has the rule been relaxed with regard to officers serving in South Africa?

Colonel STANLEY: Certainly not, so far as I am aware.

ARMY CLOTHING ESTABLISHMENT, PIMLICO.—QUESTION.

Mr. MUNDELLA asked the Secretary of State for War, Whether he has received the Report of the Committee on the Army Clothing Establishment at

Pimlico; and, if so, whether he will communicate the same to this House?

COLONEL STANLEY, in reply, said, that through the courtesy of the President of the Committee on the Army Clothing Establishment at Pimlico he had received the Report of the Committee. He had not, however, received the evidence, which was still in the printer's hands. The Report and the evidence would, as soon as possible, be laid on the Table of the House. He wished to take that opportunity of publicly tendering his thanks and those of the Government, and he might say of the public service, to his hon. Friend the Member for Oldham (Mr. Hibbert) and his Colleagues, who had carried out the investigation with such care and ability.

UNDER SECRETARY OF STATE FOR SCOTLAND.—QUESTION.

MR. J. W. BARCLAY asked the Secretary of State for the Home Department, Whether the Government has definitely abandoned the proposal submitted last Session for the appointment of an Under Secretary of State for Scotland?

MR. ASSHETON CROSS: No, Sir. We have not definitely abandoned that proposal; but there are difficulties in the way at the present moment which we have not overcome.

POST OFFICE MAIL CONTRACTS — MAILS TO INDIA AND CHINA.

QUESTION.

MR. ISAAC asked the Secretary to the Treasury, When the Contracts provisionally entered into for the conveyance of Mails to India and China will be submitted to the House for confirmation?

SIR HENRY SELWIN-IBBETSON, in reply, said, he could not yet fix a time for bringing the subject of the Contracts referred to by the hon. Member under the consideration of the House; he would put it down for Tuesday week, in the hope of being able to bring it forward on that day.

BANKRUPTCY LAW AMENDMENT BILL.—QUESTION.

MR. RATHBONE asked Mr. Chancellor of the Exchequer, Whether, if the Government carry a short amending Bill on Bankruptcy this Session, they will engage to bring in a Consolidation Bill at the beginning of the next Session in the House of Commons, and refer it at once to a Select Committee, so as to give ample time for the due and careful consideration of this important question?

THE CHANCELLOR OF THE EXCHEQUER: I have been in communication with my hon. and learned Friend the Attorney General on the subject, and he is of opinion that it will be possible to greatly reduce the length of the Bill by adopting the suggestion made the other day by the hon. and learned Member for Coventry (Sir Henry Jackson); and he is now occupied in considering what alteration should be made in it. My hon. and learned Friend will, therefore, propose to re-commit the Bill *pro formâ*, in order to make the necessary alterations; and I hope it will be possible to pass the Bill through the House during the present Session. If it should be necessary—as very probably it will be—to introduce a Consolidation Bill next Session, it will be very convenient to take the course recommended by my hon. Friend. I think it will be best to see the Bill in the form in which it will be presented; and I believe that, in all probability, the Government will introduce a Consolidation Bill.

LAW AND JUSTICE—THE SOUTH STAFFORDSHIRE POLICE STIPENDIARY MAGISTRATE.—QUESTION.

In reply to Sir CHARLES FORSTER,

MR. ASSHETON CROSS said, he had taken steps for the immediate filling up of the office of police stipendiary magistrate for South Staffordshire. The appointment had only been vacant a short time, and some delay had been caused by the requirement of an old Statute that the person appointed should be a Justice of the Peace for the county.

ARMY—DEATH OF THE PRINCE IMPERIAL—COURT MARTIAL ON LIEUTENANT CAREY.—QUESTION.

SIR ROBERT PEEL: I beg to ask the Secretary of State for War, Whether he is now in a position to answer the Question I put to him last week — namely, whether Colonel Harrison, Assistant Quarter Master General, who sat upon the court martial, the Papers of which are now in hand, is the same

Colonel Harrison who directly sanctioned and personally superintended the reconnoitring party placed under the command of the late Prince Imperial on the occasion the Prince lost his life, and for which Lieutenant Carey alone has been tried by court martial?

COLONEL STANLEY: Will the right hon. Gentleman be good enough to give me Notice of his Question?

SIR ROBERT PEEL: I asked the same Question last week.

PARLIAMENT — BUSINESS OF THE HOUSE—ARRANGEMENT OF PUBLIC BUSINESS.—QUESTIONS.

In reply to Mr. HANKEY and Mr. FAWCETT,

THE CHANCELLOR OF THE EXCHEQUER said, that the second reading of the Bankruptcy Law Amendment Bill would be proposed that night, and it was intended to at once go into Committee *pro formâ*, in order that the Bill might be re-printed with the alterations. The University Education (Ireland) Bill would be taken as the first Order on Thursday. The Public Works Loans Bill would be proceeded with as the first Order on Wednesday next. To-morrow, after the question of Privilege had been disposed of, a stage of the Army Discipline and Regulation (Commencement) Bill would be taken, and then they proposed to take the Banking and Joint Stock Companies Bill. The East Indian Loans Bill would be proceeded with on Friday.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS III.—LAW AND JUSTICE.

(1.) Motion made, and Question proposed,

> "That a sum, not exceeding £822,192, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Constabulary Force in Ireland."

MR. O'CONNOR POWER wished to intimate, at this stage of the proceedings, that if the Vote, dealing with the salary of the right hon. Gentleman the Chief Secretary for Ireland, came on for consideration this evening at a reasonable hour, he should take the opportunity of calling attention to the Office which the right hon. Gentleman held, and of suggesting some alteration. At the present moment, however, they were called upon to deal with a large Vote for the Constabulary of Ireland. Only quite recently they had had great cause for complaint as to the disposition of that force; and as the county which he had the honour to represent (Mayo) was a county which had been visited by a large extra police force, he was anxious to direct the attention of the Chief Secretary to the abuses which appeared to have taken place by the employment of the police—abuses which might be repeated. His hon. Friend the Member for the County of Galway (Mr. Mitchell Henry) had had some painful experience in his own county of the unnecessary employment of a police force; and he (Mr. O'Connor Power) remembered that when the inhabitants of Clifton announced their intention of holding a public meeting, the Deputy Inspector of Constabulary drafted a large force into the district. The services of that force were not required, for everything in that part of Ireland was found to be most peaceable and tranquil, and the county was put to a great deal of unnecessary expense by the attempt, on the part of the Executive, to tyrannize the people, and to harass them in the right of public meetings. An extra police force had been drafted into Mayo, and some of the performances of the force, in reference to the land agitation in Ireland, had been of a most extraordinary character. He found, in a recent number of *The Tuam Herald*, an account of a midnight visit paid by the police to Hollymount, in the County of Mayo. The police produced a paper, which they pretended was a legal document, authorizing the man's arrest. It was discovered on the following day that this was not a legal document, but a mere pretence on the part of the police to drag the man away from his home and subject him to great annoyance. These things were constantly happening in connection with the employment of the police force in Ireland; and before the Committee assented to this Vote, he trusted the right hon. Gentleman the Chief Secretary would give some satisfactory assurances that inquiries would be made into the disposition of the police force in Ireland, and that steps would be taken to prevent a repetition of the abuses to which he had called attention.

MR. J. LOWTHER understood that the hon. Gentleman called attention to the employment of extra police in the county he represented, and in that adjoining. The hon. Member spoke about certain cases of police abuse, and said that the services of the force were not required in what he termed that peaceable and tranquil part of the country. He must confess his inability to agree with the hon. Gentleman, to whose recollection he must also recall the decided opinion upon this subject, placed upon record by a high ecclesiastical functionary of the Roman Catholic Church, possessing considerable local knowledge, and whose views of the state of the district in question were in direct contradiction to those just enunciated by the hon. Member. He had received reports from the districts in question, and therein he found opinions expressed which were so directly opposed to those the hon. Member had given vent to, with regard to the peaceable and tranquil state of that part of Ireland, that he was inclined to assume that the hon. Gentleman was not serious when he questioned the propriety of the steps taken by the Government to preserve peace and order. He thought that the Government would have been held culpable if, under the circumstances, they had not taken such steps. The manner in which the police were employed had also been called into question, and the hon. Member had referred to an allegation that the police had been used for the purpose of causing annoyance to the inhabitants. That was not the case, for the police had been sent into the district with the special and only object of preserving peace.

MR. MITCHELL HENRY directed the attention of the right hon. Gentleman to the fact that, in many parts of Ireland, the police stations were exceedingly few in number. Around the West Coast of Ireland the permanent stations of the police were sometimes 20, and 30, and 40 miles apart; and then when, as had recently happened, a disturbance occurred, it was extremely hard to send the police there, and specially charge the unfortunate inhabitants for the services of the force. He imagined that the proper rule was this—that the whole of the country should have an adequate force of police stationed permanently in barracks for occasions when their services would be required for what he might call the normal protection of the peaceable inhabitants of the country. In the West of Ireland the people were so exceedingly quiet and orderly, as a general rule, that the authorities had taken advantage of the peaceable character of the inhabitants, and had deprived them of their real and fair share of the police force. Therefore, when a disturbance had taken place, owing to the distribution of inflammatory tracts by Protestant Societies—tracts written in a spirit opposed to the religious belief of the great mass of the people—the Government sent a body of police down there, and charged the inhabitants with the cost. Now, that was unjust and unfair, and it was high time a remedy should be provided. There was another point to which he wanted to draw the attention of the right hon. Gentleman the Chief Secretary, and also that of the Secretary to the Treasury—namely, the employment of the police to do Revenue duty. Of late years, the Revenue police had been discontinued, and their duties had been placed upon the ordinary Constabulary. The police were thus made searchers for illicit distillation, and compelled to do duties which were formerly performed by a separate body of men. The consequence was, that the duties were now inadequately performed; that there was great irritation caused; and that there was a great temptation, to which the police themselves ought not to be exposed. He had no hesitation in saying that there was a great deal of illicit distillation in the West of Ireland, and that might be checked, and ought to be checked, by the Government, if they were desirous of really preventing it. Further than that, the police did not perform another duty which ought to be put upon them, and which the late Chief Secretary for Ireland promised should be placed upon them—namely, the surveillance of the drinking booths at fairs and markets in Ireland. It was the habit of persons to go about with booths for the supply of whisky of so bad and valueless a nature that when the fair or market was closed they did not care to carry that away with them which they had not succeeded in selling. To the sale of this deleterious compound, enjoying the name of whisky, was to be attributed half the rows and broken heads in Ireland. Surely this was a matter which the police ought to attend to; and the police ought to be set to work to discover where this horrible fluid was sold, with the view of prosecuting the people under the Public Health Act. These were little things; but if they were properly attended to the peace of the country would, in a great measure, be preserved, and the stigma removed which very unfairly rested upon the peaceable people of Ireland.

Mr. J. LOWTHER said, the hon. Gentleman had complained of the want of permanent police stations in the West of Ireland, which, if it really existed, was a very proper subject for inquiry wholly apart from any of the other questions to which the hon. Member had alluded, and from which it should be kept quite distinct. If the hon. Member would specify to him in what districts this want occurred, he should be glad to give the matter consideration. If the additional duties, such as the hon. Gentlehad referred to, constituted too great a strain on the force at the disposal of the authorities, that would be a very fair reason for increasing the force.

Colonel COLTHURST remarked, that the other evening the Chief Secretary, in reply to a question concerning the manner in which the charge for the extra police was made upon the people, said that it was quite natural that exemptions should be made of the properties of certain people who were not supposed to be in any way concerned in the disturbances. The principle of exemption was a fair one as regarded agrarian outrages; for it would be manifestly unjust to impose the charge for the extra police upon a landlord or farmer who had been the victim, or sufferer from such an outrage. The disturbances, however, which had recently taken place near Clifton were not of an agrarian character, but had been provoked by the circulation of offensive tracts and pamphlets, at the instance of certain clergy and Church Bishops, who ought, in consequence, to be held responsible. It would certainly be most unfair if the property of these persons were exempt from taxation. He hoped the right hon. Gentleman would be able to assure the Committee that in their case the exemption would not be made.

Major NOLAN said, that when the Coercion Act was going through the House it was stated by the Government that the extra police would only be employed for the suppression of agrarian outrage. But the extra police had been employed in Connemara when the disturbances had no connection whatever with agrarianism. They were crimes which might happen in any district of England; but, in the event of their occurrence in England, he was not aware that any extra police were quartered upon the people. The disturbances in Clifton were not accompanied by any acts of physical violence, nor were they accompanied by any of these occurrences connected with the burning of Colonel Jackson's house in the North of England. He believed that in that case there was no tax for extra police; but in Connemara, where the disturbances were of a much milder character than those which happened in the North of England, a tax for extra police has been imposed upon the people. There had been in the West of Ireland an application of the police which was never intended by the Government when the Coercion Act was introduced four years ago. He objected to the inhabitants having to pay for the extra police; and wished to point out that no one pretended to say that the disturbances in Connemara were at all connected with agrarianism. If, however, the tax were to be imposed they ought to be levied fairly and reasonably. He expected some explanation from the Government about some of the circumstances connected with the tax. He was informed that there were two parishes in Connemara in which the tax had been levied. In Ballydoon, for instance, the tax amounted to 9½*d.* in the pound, a very considerable sum for poor tenants to pay, in addition to 9½*d.* in the pound on the Government valuation. In England 9½*d.* in the pound would be considered a very high Income Tax, especially if it were added to 9½*d.* in the pound on local taxation. It ought to be remembered, too, that the disturbances in the parish of Ballydoon were of the most trifling description, amounting only to the breaking of a few panes of glass. There was really no damage done except that which could very properly be paid for in the ordinary way. A tax of 9½*d.* in the pound, under these circumstances, seemed to be a very heavy one. In addition to that, the tax was very unfairly distributed amongst individuals. The Chief Secretary acknowledged, the other night, that certain exemptions had been made at the instance of the local authorities. His (Major Nolan's) impression was, that at the time they were passing the Coercion Act it was understood that it was the Grand Juries who were able to make exemptions, and no one else. He should like to know from the Chief Secretary if the police authorities, or resident magistrates, had the power of exempting certain individuals from the tax? Further than that, the Chief Secretary stated, in answer to him (Major Nolan), that it was the policy of the Government to exempt those people upon whom the outrages had been committed. He had received a letter, which had every appearance of accuracy, and from which he learned that certain people had been exempted from the tax who were not subject to any attack whatsoever. It was clear, therefore, that they must have been exempted for some other reason. The Chief Secretary ought to state why these particular properties had been exempted from the tax. He (Major Nolan) also quarrelled with the principle of exemption altogether. Where taxes had been laid on property in a certain district, it was a very doubtful policy to make exemptions at all. The people who were exempted were apt to exult over those who were paying the tax, and to consider that they were scoring a victory. This occasioned a great deal of ill-feeling between the parties; whereas, if all the parties had to pay the tax, they would all get tired of paying it, and they would be more apt to prove themselves a happy family, and thus cause the imposition to be removed. It was, unquestionably, very injurious to the good-will of the locality if there were any exemptions. He protested against taxing people according to sympathies. He should like to know if all the people who had been exempted had been the subject of outrages; and he should also like to know if the Government had definitely made up their minds to apply the tax even in cases where the outrages had not been of an agrarian character?

MR. GRAY said, the hon. Gentlemen who had spoken had referred to particular phases of this question; but he wished to direct attention to the general system of extra police, and to show that what had always been an abuse was growing worse year by year. There was what was supposed to be the normal number of the police, on which number the Estimates were based, on which the House voted their supply. But that normal number was not the real number, for the full number for a district was never on the rolls, while an extra number was always on the rolls; and whenever the Government supposed that a supplementary supply was required for any town or district, that town or district was charged as for an extra supply, when, as a matter of fact, the normal supply was not reached even with the extra force. The receipts under this head were no less than £25,000 for the present year. That was a tax which was levied in various proportions in various districts in Ireland really to supply the cost of a blunder made by the Government themselves some time ago, when they estimated the cost of the superannuation of the police at a very much lower sum than the cost really amounted to. He trusted the right hon. Gentleman the Chief Secretary for Ireland would explain to the House if he intended to perpetuate the system or not. The amount required and voted for the superannuation of the Constabulary amounted to a very much larger sum annually than the Irish authorities had anticipated, and it was growing year by year in a rather alarming fashion, so that the Treasury were putting pressure on the Constabulary authorities to keep down the Votes. One of the means adopted was the keeping down the normal number of men to be given to the various districts. He found that that system had been in favour for a considerable number of years, and that this year there were 123 men fewer estimated for altogether than last year. The result would be the Votes for extra police; for as the real number of the men was lessened, so in proportion, whenever an extra force was called for, more men would have to be paid for by the district, no matter whether the normal strength had been reached or not. Therefore, the £25,000 received for extra police this year might become £30,000 next year. This was really a serious question; and it was nothing less than trifling with

Parliament to estimate for one number of men and really keep a lesser number of men on the rolls. No doubt, it was a fact that the amount for the superannuation of the police was very large; but let this be faced in an open, manly way, and not by trying to avoid a financial difficulty by devices of this kind. Another device, to which he would take the liberty of directing the attention of the right hon. Gentleman, was this. He put to the right hon. Gentleman, the other day, a Question with respect to the men called non-effectives being kept on the effective force of the Constabulary long after they had ceased to be able to do any work. There were 73 of these men in the force for three months past—men who were entitled to retire on their pensions. When he found men who had served for a long number of years—and many of them were in the hospital—he was justified in assuming that most of them would never again be effective; but by keeping them on the list the superannuation list, which had grown too large, was kept down by the amount of these pensions, while the effective force was nominally, not really, filled up, and an excuse offered for charging districts with an extra police force. This was not straightforward, and the right hon. Gentleman would not care to take the responsibility of it. He would say that he found it in force, and had continued it. He (Mr. Gray) did not bring a charge against the present Administration of having originated this system; but it was growing worse under their administration, and in proof of that statement he would again refer to the fact that they had estimated for 123 men less than last year. No doubt, there were names in abundance on the application list, for it was a great favour to get into the Constabulary force—picked men could be had in abundance; applications were continually coming in, for the salary was large, and the advantages of the position considerable. Therefore, it was of deliberate and set purpose that the force was kept down under its nominal strength, and it was kept down in order to keep down the Estimates, and to satisfy, in some way, the grumblings of the Treasury, because of the enormous and unexpected increase in the superannuation charges.

Mr. BRUEN added his testimony to the correctness of the statement. It was perfectly true, and his attention had been often drawn to the fact, that the proper quota of police had never been reached until the county authorities found it necessary to send more men for the preservation of the peace, and, thereupon, the district was charged for the extra men. It was not a fair thing to make the extra charge before the full quota of the force allotted to the district had been reached. The reductions in the number of the police had often been effected by the withdrawal of the police from stations altogether against the representations of the inhabitants; but if economy was to be effected in that way, against the opinion of those who were charged with the preservation of the peace of a district, that economy should not be effected at the expense of the county which was now called upon to pay.

Sir JOSEPH M'KENNA said, the hon. Member for Tipperary (Mr. Gray) had struck a real blot in the system. Nothing could be more unfair, more unjust, than the system of charging a locality for the expenses of a force when the force had not been maintained in the proportion assigned by Parliament. It was a monstrous system that gave a premium to the Executive in the shape of local charges, when there was a riotous or bad condition among the population. This state of things, which it ought to be the interest of the Government to avert, seemed to be no disadvantage to the Imperial Treasury, but came as a relief to it. This had been so strongly pointed out by the hon. Members for Tipperary (Mr. Gray) and County Carlow (Mr. Bruen), that he was not justified in occupying time with the subject, beyond saying that the attention of Irish Members had been called to the subject, which had in it sufficient to make it a burning question, if something were not done to deal with the evil very shortly. Upon the subject of the extra duties for the Constabulary, the hon. Member for Galway (Mr. Mitchell Henry) had recommended the employment of a separate force for Revenue purposes, but with that he (Sir Joseph M'Kenna) could not agree; it would be a great mistake—a retrograde movement—to re-establish a Revenue police. There had been enough experience of those "potheen hunters," as the country people used to call them; and he thought the duty was infinitely better discharged by the rural police. They knew the districts, and the habits and ways of the people, and they had largely promoted the discouragement of illicit distillation. His hon. Friend said there was a good deal of potheen distilling in the West of Ireland; but he could scarcely credit this—in fact, friends of his, who had a partiality for this kind of spirit, had told him it was cheaper to get a bottle of the best duty-paid whisky than to get the same quantity of potheen. But, personally, he had not been in the West of Ireland for years. On the subject of police, he advised the Government to take steps to keep the force up to its full strength, and make no special charge to a district, except the levy was applicable to the relief of the local taxation of the district from which the relief was drafted. Thus, if 20 men were required from Carlow to coerce Mayo, then let Carlow have the benefit of the charge for supplying the force, and not merely Mayo be subjected to a special tax.

MR. MITCHELL HENRY, in reference to the illicit distillation, asked the attention of his hon. Friend to the last Report of the Inland Revenue Department, and he would find there were 700 prosecutions for that offence in Ireland last year. He did not speak without knowledge, when he said the amount of distillation carried on in some parts of Ireland was exceedingly detrimental to the people; and on this point he believed the police did not do their duty. Further, he did not believe the Sunday Closing Act was properly carried out, owing to the removal of the police because of the desire to lessen expenses, and relieve the difficulty the Treasury had got into from not framing the Estimates correctly.

MR. O'SHAUGHNESSY said, this was a question that must come before the House fully before long, for the force was in such a state as to resemble a standing Army more than a police force. But, owing to the hurried manner in which the Vote had been brought on, the subject could not now be fully discussed. However, he was not making any objection to proceed, or to discuss the organization of the force. The attempt to keep down the quota of the county beyond what the county was entitled to, and then to send fresh men into the county and charge them on the rates, was simply a fraud on the ratepayers. The Constabulary was, in theory, maintained by the Imperial Parliament. The authority under the Act of Parliament which was to enforce the burden for the maintenance of these forces put down 300 men in a certain county, saying that that was the proper number to be allotted to that district. They would assume that the force kept up in the county was 250 men, and immediately a disturbance arose 50 men more were sent for, whom the ratepayers were obliged to pay, although the proper number of men to be maintained in that county was 300. That was what it came to; and he trusted that this state of things would not go without remedy in Parliament. But he thought the ratepayers who were called upon to make those payments would do well to resist them, and employ every legal means to sustain them in the adoption of that course. The hon. Member for Tipperary (Mr. Gray) spoke of the number of non-effective men kept upon the lists of this force; but, for his own part, so long as the force continued what it was, he had no objection to see any amount of non-effective men kept upon it. It was a military force, it was armed and drilled like an Army, and it was imbued with the spirit of an Army, instead of that of a civil force. If these men were not drilled as they were, if they were not required to pass their noviciate in the Dublin barracks, they would be far more useful, better able to discharge the duties they had to perform, and far more popular. They were a well-conducted body of men; there were few complaints of violence or of spying usually made against a force; and they bore a good contrast to the Dublin Metropolitan Police, for their colours were not stained with civil blood: but it was a great pity a force like this, such good material, should be turned into a military force. This was not all. There had been during the last few years, amongst the officers, an amount of small and large scandals utterly disproportionate to the number of officers, and which, in a well-regulated force, would not have occurred. In one part of Ireland there was an instance of a county Inspector in receipt of Government money and putting it into his own pocket, and the amount of his defalcations the ratepayers were required to make good. There had been painful scenes in the North, and scandals between one officer and another. He did not mean to say anything against the great body of the officers, and, perhaps, scandals was not quite the proper word to use; but according to the small number of officers in the force, as compared with the English Army, there was not that harmony and discipline maintained in the superior ranks of this Constabulary force that there was in the Army. The hon. Member for Galway and the hon. Member for Tipperary spoke a good deal about the employment of these men in particular districts for the purpose of preserving the peace, but where very often it had been disturbed by the responsible individuals of the localities. But what were they to say of the cases—and they were not few—where these men were taken away from their ordinary duties and brought down substantially to maintain the civil claims of the individual, and not to maintain the peace at all. Whether the money was to be paid for the hire-services out of the Imperial taxes or out of the ratepayers' pockets, he equally protested against it. He had that afternoon presented a Petition, signed by a large number of the inhabitants and electors of the county of Dublin, complaining that a large body of police were sent to support the claim of a landlord to the Skerries foreshore. This claim was resisted by persons along the foreshore, and became the subject of litigation, the claimant being unsuccessful in one Court and successful in another. Finally, the matter being still open, he proceeded before a magistrate to obtain redress for trespass upon what he conceived to be his property, and as many as 100 policemen were sent to preserve, sacred and inviolate, a wall with which the landlord had sought to make good his claim. The police marched off the men, who were about to exercise their right to pull down the wall, in handcuffs; and after the police had been kept there some time the decision of the Court in Dublin was against the landlord's claim. The police, therefore, had been employed to maintain claims not sustainable. He wanted to know who was to pay for these 100 policemen who were kept on the foreshore? Was it the Imperial taxes, or was it the poor tenants of the county Dublin? This was a very serious question. He thought neither party ought to pay, as these were services which it was never intended should be rendered by the police. They ought to be confined simply to the maintenance of the peace when it was threatened by unruly mobs, and should not be employed to uphold the civil rights of individuals.

Mr. O'DONNELL remarked that, as at present constituted and used, the Constabulary force was simply a ready weapon and means for gratifying the local, personal, and sectarian spites of the governing class in many portions of Ireland. If for a long space of time an acrimonious religious controversy had been kept up by the paid agents of a so-called evangelizing society, and if at length that society succeeded in provoking disturbances, thereupon its efforts were forthwith encouraged and its venomous propaganda promoted by means of the Irish Constabulary. The property of promoters of disturbance was carefully exempted, and the cost of the extra police was thrown upon the ratepayers of the poor and harassed district which had been chosen for years past as the select centre of the operations of this society. But it was not only in regard to the operations of so-called missionary societies that the Constabulary were misused. Throughout the North of Ireland, again and again, it appeared that the Constabulary were called in in order to promote the objects of the party in ascendancy. Complaints had been addressed to the Chief Secretary for Ireland on the subject, which, if he were at all acquainted with the importance of the Department which he had been sent from England to administer, he would listen to with a great deal more care and attention. He was sure that it was his ignorance, and not his will, which was usually at fault in these matters. Complaints had been made to him with regard to interference with meetings of most legitimate character in the North of Ireland, promoted by Catholics. For instance, in the county of Tyrone a perfectly legitimate meeting was called in order to support the University Education Bill brought in by the hon. Member for Roscommon (the O'Conor Don). The local sectarianism and religious prejudice took alarm at such a demonstration of their undoubted civil rights on the part of the long-oppressed Catholics of the county Tyrone; and on the impudent pretext that this meeting would afford an opportunity for an attack being made by Protestant rioters, the local authorities took the step of prohibiting the meeting being held. He was sorry to say their conduct was defended in that House by the Chief Secretary for Ireland as a magnificent specimen of what he was pleased to call impartiality. He would point out that in the recent celebrations of the July anniversaries, which were attended with every circumstance of offensive display, the Constabulary were not sent down by the authorities to interfere and prevent those demonstrations coming off. This was not merely a police force—it was a branch of the Army, maintained by the Government, without putting them into the military Votes, and one which gave the Government the opportunity of occasionally displaying their military authority, in its most offensive form, to the people of Ireland. It might be better, perhaps, to challenge their action in this matter on some of the Votes, such as those for musketry instruction, and the supply of ammunition. He did, however, wish to direct the attention of the Committee to the fact that they were now maintaining in Ireland a military force aggressive and provocative in its character, and one which was not at all of the character of a civil police; one which continually brought home the idea of irresponsible despotism to the Irish people. He would ask hon. Members how an English public meeting would like to find that amongst those present were armed minions of the Government who, leaning on their loaded rifles, employed themselves in taking notes of the speeches delivered? A right of that kind would be intolerable in England, and would raise a rebellion if it were ever attempted. Yet it was a right which must meet the eye of every traveller who took a real interest in the study of Irish life and Irish agitation. At the recent meeting of the agricultural labourers, at which every institution dear to the heart of the Conservative landlord was attacked in terms not likely to satisfy English landlords, the Government did not send down detectives to take down the words of Mr. George Mitchell or Mr. Joseph Arch; but, in Ireland, they could not even hold a tenant-right meeting without its approach being heralded by the arrival of long car-loads of armed spies, who occupied their positions in prominent places, and in provocative attitudes, taking notes, in the hope that their superiors might be able to twist something out of the language used, to serve the purposes of a coercive prosecution. Such a thing in England would tend to trouble, and to the destruction of all Governments; and yet it was the course adopted at every Irish meeting, and it was the way in which the Irish people were recommended and encouraged to pursue the paths of peaceful demonstration.

MR. CALLAN was sorry to spoil the graphic picture drawn by the hon. Member for Dungarvan, but the muskets of the Constabulary, he believed, were always unloaded. He bore testimony to the way in which the Constabulary discharged their duties, and regretted that the hon. and learned Member for Limerick (Mr. O'Shaughnessy) had drawn an unfavourable comparison between them and the Dublin and the Metropolitan Police. Having known the force for 10 years, he believed it presented a most favourable contrast to the City Police in London. He was glad that in this matter they had come to the discussion of a real grievance. Formerly, that House used to fix the number of men for each county in Ireland; but, unfortunately, during a period of coldness on the part of Irish Members, power and authority was given to the Lord Lieutenant in Council to do so under certain provisions. Recently, in Louth, they found that the force was one-fifth less than they were charged for. The Grand Jury refused to pass the presentment—first, on the ground that they had not been stationed in the county; and, secondly, that the requirements of the Lord Lieutenant had not been complied with. One of the most prominent of the Castle Judges held that they could not go behind the Treasury Warrant, no matter what number of men had been in the county during the previous year. He complained that his county was often over-charged for men, and trusted the Government would give some explanation of the matter which he had just mentioned. The hon. Member for Galway (Mr. Mitchell Henry) had stated that the police, as illicit-still hunters, were an inefficient force; but the fact that in the county of Galway there had been in one year 700 prosecutions for keeping illicit stills showed that the charge was not well-founded.

Colonel KING-HARMAN did not wish to join in a cry against the Irish Constabulary. He believed they were a very fine force, well worthy of the country. He could, however, bear full testimony to what had been said by the hon. and gallant Member for Galway (Major Nolan). In the four counties with which he (Colonel King-Harman) was connected there were repeated complaints against the charge made for extra police when the numbers were not kept up to their normal strength.

Major O'BEIRNE complained of the way in which fines were imposed. It was ridiculous that a soldier, if he were simply fined 1*s*. a-day, should have the power to go to a court martial; while a constable in the Constabulary might be punished most unjustly by an ill-tempered commander, or prejudiced county inspector, and yet have no power of making his voice heard. He pointed out, also, that there had been certain irregularities in connection with the inspectors, who had made a practice of borrowing money from their men. He should move the reduction of the Vote by the amount of these officials' salaries, and whether he persisted in that would depend on the answer the Chief Secretary gave.

Mr. O'DONNELL observed, that the hon. Member (Mr. Callan) had rather misrepresented him. He did not raise any objection to the character of the Irish Constabulary, whom he knew to be a very fine and able force. He was only speaking of the use made of them by the Government.

Mr. J. LOWTHER said, while he was disposed to agree, to a considerable extent, with what had been stated by the hon. Member for Tipperary (Mr. Gray), these were not the days in which the Government would feel themselves justified in allowing the Irish Constabulary to fall below their proper strength. That was a subject now engaging the anxious attention of the Government, and he thought the result of that would be to remove many objections urged. As regarded non-effectives, he considered their numbers remarkably small—something like 60 in the whole force—and he did not think it would be desirable to dismiss men from the force for temporary indisposition. He would remind the Committee that this Vote had been under consideration for some hours, and he hoped it would now be agreed to. He must observe that if every one of the 60 or 70 Votes was to be subjected to the same criticism, they would never get to the end of their work. The hon. and gallant Member for Galway (Major Nolan) had referred to the exemption from the charge imposed on a district for the maintenance of an extra police force. As he understood the law of the case, it was not individuals, but areas, that were exempted. When the inhabitants of any particular area appeared to be in no way connected with the facts leading to the despatch of the force, then that part of the population had a claim to be exempt from the charge; but that would not be the case if it could be shown any of them were instigators by the distribution of placards or bills. The hon. and learned Member for Limerick (Mr. O'Shaughnessy) had referred to the force as a military one; and he (Mr. J. Lowther) would rejoice if they could turn the bayonet into the walking-stick, and he would be glad if they could see the Constabulary walking about with a cane, in the old-fashioned dress of guardians of the peace in the country years ago. But the hon. and learned Gentleman must recollect that the duty of the force often found them opposed to large gatherings of people, sometimes between two parties, and they must have the means of preserving themselves and the public order. He hoped the Committee might now be allowed to take the Vote.

Mr. BIGGAR expressed his satisfaction at that part of the right hon. Gentleman's speech in which he stated that the police force was to be kept up to its full strength. He referred to the case of Mr. Buckley, as one in which the charges levied on the population were such as they could not possibly pay. In that case, where the people were already unable to pay the rents levied, a higher rent was demanded, and then the Government made the people pay for the police to put down the disturbances which resulted. He thought a very unjust use was often made of the police; while the way in which certain persons were exempted from the tax was ridiculous and monstrous. He condemned the conduct of the Government in sending an extra police force to Connemara, and complained that the Attorney General for Ireland had not done his duty by prosecuting the people who created disturbances in the district by circulating insulting tracts among the Catholic people.

MR. MACARTNEY said, the hon. Member (Mr. Biggar) had treated them to one of his usual dissertations on law, politics, and religion. In that House those hon. Members represented a minority—a decided minority. They were constantly crying out because they could not control the House, and yet they had the assurance to ask the House not to protect the minority in Ireland, who were merely acting in accordance with the dictates of their religion. The hon. Member (Mr. Biggar) had observed that his opinion of the law in regard to these matters was opposed to that of the Judges of Ireland. He had no doubt that was the case; but the hon. Member spoke strongly against the Government for having sent a strong force of Constabulary into Connemara. Well, his opinion was that no proof could be produced of any excess or outrage having been committed by any of the poor people of the district who had suffered so much from the disturbances referred to. These people had been attacked with stones; women and children were subjected to ill-treatment and insult. That the force sent to preserve order was not too strong was clearly shown from the manner in which they had been treated. They were attacked. Their arms were taken from them in some instances, and in one case serious injuries had been inflicted. Some of the hon. Members opposite had expressed an opinion that there were too many police in Ireland, but he could not follow their reasoning on that point. Some of them declared that there were not enough policemen, while others held that there were too many, the former arguing that the people paid for more police than were supplied to the respective districts. To show the inconsistency of these claims, it had been asserted by some that the Constabulary amounted to a military force. On one point he was assured, that the Constabulary could not perform their duties unless they were armed. A proposal had been made some time ago to establish a Volunteer Force in Ireland; but he asked whether, under the circumstances, a population such as had been guilty of the excesses to which he referred could be trusted with military arms? Let them think for a moment of the serious consequences which might result from a conflict between a population armed with military weapons, and trained to the use of them, with the police. Such an event would require not only a military force, but would imply a large increase of the present Constabulary force in Ireland. The county to which he belonged had been spoken of as one of the most disorderly in Ireland. On the occasion of the last Orange anniversary a number of Orangemen had assembled in a town which had been referred to, but their meeting was of the most peaceful character. They were, however, followed to the suburbs by a crowd of the opposite party, who kept ostentatiously firing off guns during the day. Several shots were aimed at the Orangemen, and the result was that several of the party were wounded, more or less seriously. A small body of the Constabulary made an attempt to disperse the Roman Catholics, but they failed, and were obliged to call for reinforcements before they could succeed in protecting the Orangemen. In another place a large body of Orangemen were attacked while going peacefully to their homes. There, again, the police interfered to preserve order. The Orangemen, irritated by the treatment they had received, showed a desire to retaliate, but were fortunately prevented by the Constabulary, who arrived in strong force. He thought it right to mention these facts, as an illustration of how the Orangemen were sometimes excited and provoked to violent acts by the conduct of the opposite party.

MR. CALLAN said, the hon. Member for Tyrone (Mr. Macartney) was inaccurate in his statement relating to the disturbances which occurred in connection with the Orange celebrations at Omagh. The last riot happened at that town on Sunday the 13th of July, when the Orangemen of the surrounding district, who had on the previous day indulged in drunken orgies, came into the town under pretence of attending Divine Service, and then marched out of church, firing guns and playing party tunes. Catholics were assaulted and injured; and he had received letters from some respectable inhabitants of the town of Omagh, constituents of the hon. Member for Tyrone, asking him to bring the matter before the House of Commons. He regretted that the Chief Secretary for Ireland had so completely evaded the substantial grievance which had that evening been brought forward by the hon. Members for Tipperary (Mr. Gray), Carlow (Mr. Bruen), and Sligo (Colonel King-Harman), as well as by himself. He referred to the charge on the counties for the extra police force. It appeared by the Estimates that last year—1878-9—when the Constabulary were admittedly below the number allowed, the Treasury received upwards of £25,000 from these extra rates; but the counties from which the police were drafted were not credited with any amount. The right hon. Gentleman had not replied upon this point at all, and he (Mr. Callan) would call his attention to another fact. In the year 1873 a charge was imposed on the county of Louth for a number of extra men, and the Grand Jury threw out the presentment, on the ground that the county had not the number of police allowed by the Order in Council, and also on the ground that the requirements of the Act had not been complied with. At the Spring Assizes, ending the 27th of February, 1874, the Grand Jury again threw out the presentment, and the matter was then brought before Mr. Justice Lawson, who said that he could not go into the questions as to whether the police in the county were up to the proper number, or whether or not the requirements of the Act had been complied with. He simply said—"I order and direct that you pass this presentment," and the Grand Jury were obliged to do so. Since that time he believed no Grand Jury had appealed, for the reason that Mr. Justice Lawson had held the Treasury Warrant to be imperative, and that he could not go behind it. Under these circumstances, he asked the Attorney General for Ireland to say whether he was prepared to grant an inquiry into the facts, and whether Ireland was to be mulcted in this sum of £25,000?

Mr. MACARTNEY said, that the hon. Member for Dundalk (Mr. Callan) had stated correctly that the disturbances at Omagh took place on the 13th of July, but the facts were different from those related by the hon. Member. On the occasion in question, four or five bands had attended a large meeting, and one of these accompanied another on its return to the station, when they were attacked by a large body of men, and the Constabulary placed themselves between the two parties. He denied that party tunes were played. Protestant bands never played on Sunday, while Roman Catholic bands did so frequently.

Mr. GABBETT said, this was his first appearance in public during the five weeks he had had the honour of sitting in the House. He had listened to the brilliant flashes of oratory which had come from his hon. Friends around him, and he supposed that out of the abundance of the heart the mouth spoke. He would only say a few words with regard to the reference of the hon. Gentleman the Member for Dungarvan (Mr. O'Donnell), who had spoken of the Royal Irish Constabulary walking about bristling with arms. He lived in a place called Cherconlish—not, perhaps, a very euphonious appellation, and one, perhaps, which was almost as bad as the name of Geoghegan, which the right hon. Gentleman the Chief Secretary for Ireland fell foul of the other day. During the time he had lived there he had some opportunities of seeing the Constabulary, and he must say that they lived in all peace and quietness with the villagers, and consorted with them in the most friendly manner possible. He had been called in to see their skeleton battalion drilling, and had seen the country people looking on with interest, and in the most ordinary manner. The members of the Constabulary were sought after as acquaintances by the people, and as eligible bachelors by the marriageable of the district. He had met them frequently, and he must say that a more orderly, respectable, and sober body of men he never saw; and he had the greatest pleasure in thus bearing testimony to their personal character. He had never seen any of the Orange demonstrations referred to by the hon. Member for Tyrone (Mr. Macartney); no such things happened in his part of the country, where the Protestants lived with their Catholic neighbours upon the most affectionate terms. And lately, when he had stood for the county which he had the honour to represent, although he was a Protestant and was opposed by a Catholic, he had never been taunted with his religious tenets. With regard to those Orange demonstrations, he thought the sooner those silly exhibitions in the North of Ireland came to an end the better; and that the time had come when the people of Ireland should join hands and, laying aside these ridiculous customs, should cooperate for the good of the country; in which case there would be no necessity for the Irish Constabulary to march and counter-march throughout the country in all the panoply of war.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) agreed with the hon. Gentleman who had just spoken, that the Constabulary force was not unpopular in Ireland, nor had any hon. Member from Ireland said anything which personally reflected upon it. Among the various suggestions made in the course of the discussion, it was asked that he should say something off-hand upon one or two points. The hon. and gallant Member for the county of Galway (Major Nolan) had requested him to indicate what were the functions of the Grand Jury and the Executive. The difference between these might, he thought, be precisely stated. The Grand Jury had power to award compensation for loss of life and property under certain conditions, while the Executive had the onerous duty to perform of apportioning the extra police tax. With regard to the question initiated by the hon. Member for Tipperary (Mr. Gray), as to the difference between the nominal and real strength of the police, he believed the condition of affairs in that respect was not entirely satisfactory, and stood thus:—Each five years there was a revision of the quotas, the last of which, he believed, took place shortly before the present Secretary of State for the Colonies (Sir Michael Hicks-Beach) left his Office in Ireland, about two years ago; and the result of that revision was to reduce the discrepancy between the real and nominal figures of the force. The hon. Member for Dundalk (Mr. Callan) had presented this question in a very ingenious and novel way, in making this point—that whenever the Constabulary were withdrawn from the county of Louth, for instance, Louth should be credited with a proportion of the extra tax received from the district to which they were sent. There were, in his opinion, two sides to that question. For if Louth had to pay for something which it did not get, he could not see that Louth ought to make any money out of the transaction. The other side of the question was a different matter entirely—whether the counties to which the police were sent ought to pay the extra expense so incurred? Upon that subject the question put to him was, whether or not the decision of the Judge at the Spring Assizes of 1874 was sound? It was not for him to disparage the Office which he held; but he did not think himself entitled to sit as a Court of Appeal on the decisions of any of the Judges in Ireland: nevertheless, he was disposed to think the decision in question was perfectly accurate. His right hon. Friend had stated that he recognized that this question, as to how the extra charge was to be borne, was a subject that demanded inquiry, and that he would look closely as to whether the Constabulary force was kept up to a proper and reasonable strength; whether there was sufficient barrack accommodation of a permanent character scattered over the country; and whether it would be reasonable to charge a county if it fell very far short, indeed, of its proper quota? The Secretary of State for the Colonies, when in Office in Ireland, had tried to meet the difficulty in this way:—It was found at that time that there was a very substantial number of men under the quota in several counties, and he, pending the revision which had since been made, struck an average for the whole of Ireland, and only debited those counties which had not their proper average.

MR. CALLAN said, he did not want the county of Louth to make money out of the drafting of the Constabulary. It had been ascertained, beyond all doubt, that the number of men allowed to the county—he believed it was 159—was less by 15 than the quota during the year; but the county had, nevertheless, been charged for some 11 or 12 men extra. Since, therefore, the force was so much under the number allowed by the Act, he was not aware that the county was liable to pay the amount which had been paid to the Treasury. The best way, he thought, to cause inquiry to be made would be to move the reduction of the Vote by the sum of £25,000, being the amount paid into the Treasury under the head of "Augmentation."

MR. O'SHAUGHNESSY said, he had given Notice of a Motion to reduce this Vote by the sum of £500. He presumed, therefore, he should have precedence.

MR. CALLAN was willing to move the reduction of the Vote by the sum named by him, after the Motion of the hon. and learned Member for Limerick (Mr. O'Shaughnessy).

MR. SULLIVAN said, the Attorney General for Ireland had said the matter should be taken into consideration. It was exactly five Sessions ago since he brought the same matter before the House. In 1874 he was requested by his constituents to do so, and he had done it. It was then taken into consideration, and had been kept there ever since, and there it would probably remain for the next five or six years. The Attorney General for Ireland had stated that the county should not be allowed to make money out of the drafting of the Constabulary, to which he (Mr. Sullivan) replied neither ought the State to make money by the transaction; and it was his contention that the State had done so. The matter stood thus:—A certain amount, not more than requisite, was voted for the Constabulary in Ireland; the force was distributed all over the country, according to the requirements of the counties; but if Louth required 500 men, and the State took away 400 for certain purposes in Belfast, what recompense was it proposed to make to the county for the loss of four-fifths of its Constabulary? If these men were not wanted in Louth they ought not to be there; and if the State had a right to charge them elsewhere, surely the county should be compensated. As the system now stood, suppose the county of Mayo to be in an extremely peaceable condition, while there was a disturbance in Galway; the State would draft the Mayo police into Galway, and charge for them; if, then, a disturbance occurred in the next county, the Mayo police might be drafted into that county, and again charged for. He would put the matter to any English gentleman accustomed to commercial book-keeping in this way. You engage to deliver to a certain public institution in this Metropolis 1,000 sacks of flour in the year; you send them only 800, and charge for the 200 which you have not delivered. The State had acted in this way precisely, by not giving the county of Louth its proper quota of police, and then charging as extra for the number of men sent to make up the quota. He wanted to know where was the defence or excuse for such a transaction on any commercially honest grounds whatever? He wanted to know whether it was commercial honesty at all? He disputed and denied the right to make this extra charge, unless the extra men were sent from England into Ireland. He regretted that the debate had wandered into a disputation upon the Orange celebrations. The police in the North of Ireland, he admitted, had a very difficult duty to perform during one week in the year, when good, honest men, who had been the kindliest neighbours for 51 weeks previously, were seized with a sort of madness, and went about maligning those who differed from them in religious opinions; and, on the whole, with some exceptions, he thought that they discharged their painful and difficult task with wonderful tact and forbearance. He recommended hon. Members from the North of Ireland to save the great expenditure in their districts for police, by disabusing the minds of their constituents of the idea that they stood in need of those parades with fifes and drums for any purposes of defence. If they came down to Limerick they would learn that while the Protestants there were only 5 per cent of the community, they were safe in the midst of 95 per cent of the rest of the community, which was Catholic. Let them contrast the duties of the police in Connemara with what they had to do in the county of Cork. The Protestants in Cork were as few as the Protestants, real or pretended, in Connemara; and neither in Limerick nor Kerry did they need any protection from the police, because they were non-aggressive, and because they did not insult and attack their Catholic neighbours. They knew what the secret was in Connemara; and when the Protestants in Connemara began to behave as did the Protestants in this county, they would no longer need the protection of the police. In place of the fife and the drum, let them try what efficacy there was in a little kindliness and in trusting one another. For his own part he would say, that if he were in his own native country—Ireland—and he saw that an outrage was attempted to be committed upon the humblest Protestant meeting-house, he would defend that house with his own hand, and, if necessary, with his life. If their Protestant fellow-countrymen were only friendly with them in Ireland, they neither would have cause to say that they needed the protection of the police for their security.

MR. O'SHAUGHNESSY begged to move to reduce that portion of the Vote under Sub-head A by the sum of £500 for the salary of the Inspector General. He believed that the Constabulary were charged with the duty of carrying out the Contagious Diseases (Animals) Act in Ireland. The circumstances of the case to which he would briefly refer were these:—At the commencement of the year a certain number of cattle were ordered to be slaughtered on account of a certain disease in Limerick, but there was a suspicion that, instead of their all having been slaughtered, some of the cattle were exported to England. A number of members of the Board of Guardians saw two constables, whom they requested to inquire whether the cattle had been slaughtered or not. The constables undertook the duty, and recognised the necessity for carrying it out quietly. A few days afterwards, however, they came before the Board of Guardians and stated the entire case, declaring that they had no duty to perform in the matter. They not only declined to do their duty, but made public the steps which were being taken by the Board of Guardians to discover whether the circumstances had happened or not. That brought him to the conduct of the Inspector General, who, when applied to on the matter, said he could see no ground for instituting an inquiry into the conduct of the police, and that he had himself made a private inquiry into the circumstances. The end of it was that the matter came before the Chief Secretary for Ireland, who said that he saw little reason to interfere with the Inspector General of the force, and pointed to the very remarkable remedy which the local authorities would have by summoning the two constables and the Inspector before Petty Sessions. It had turned out that the police had duties with regard to the Act; that they had not performed them, and that the Inspector General had been guilty of strange and gross neglect in the discharge of his duty. He, therefore, moved that the Vote be reduced by the sum of £500.

Motion made, and Question proposed,

"That the Item for the Salary of the Inspector General be reduced by £500."—(*Mr. O'Shaughnessy.*)

MR. VERNER said, there was a good deal of point in what the hon. and learned Member for Louth had brought forward on the subject of the charges for extra police in the various counties. He (Mr. Verner) agreed in the complaint which had been clearly and forcibly made by the hon. and learned Member, and believed that charges for extra police were made against districts where the rightful numbers were never kept up, although they were regularly paid for. He regretted, however, that the hon. and learned Member had not confined his attention to that subject, but had made remarks, joined in by the hon. Member for Dunkalk, with reference to the Orangemen of the North of Ireland, which required that he should say a few words, not in defence of that body, to which he belonged, for it needed no defence, but in order to show the Committee that the state of things was not that given by hon. Members opposite, and that; while a large part of the country was not in that peaceful and happy state depicted by hon. Members, the North of Ireland was not so peculiarly turbulent and troublesome to the police as they wished it to be supposed. What were called by hon. Members Orange disturbances, arose from the intolerance and rowdy spirit of the opposite party, who attacked the Orangemen, even when not beating their drums or in processions. It was quite possible that if the Orangemen were left alone the processions might die out, as opposition had something to do with keeping these things alive. He lived in a county which was very largely Roman Catholic, and bands, dressed in the most absurd and grotesque uniforms, used to march up and down past his gate every Sunday, beating drums and playing disloyal tunes; but as he, and those of his way of thinking, took no notice, the nuisance would probably come to an end, if it had not already. The hon. and learned Member for Louth said that party displays only took place in the North, and, of all places in Ireland, quoted Cork City and County as models of quietness and order. But the Committee would remember that Cork was the head-centre of Fenianism, and that proceedings were constantly taking place there of the most disloyal character. Further, it was well known that in the West of Ireland they were in the habit of giving cheers for the Zulus. Who ever heard of the Orangemen of the North of Ireland giving cheers for the Zulus?

The CHAIRMAN pointed out that while there had been a tendency through the discussion to depart from the Vote before the Committee, he had not considered it necessary to check that discussion so long as it had relation to the conduct of the Constabulary; but he thought it would be seen that the present discussion, dealing with meetings of one or other political party, was outside the question before the Committee.

Mr. VERNER had understood the hon. Members to whom he had referred, in making their attacks upon a loyal body in the North of Ireland, to accuse that body of being the cause of an extra force of Constabulary being sent down, at a great expense, to that part of the country. He wished to say that the Orangemen of the North of Ireland were not the sole cause of the movement of the police, nor was the North of Ireland the sole part where extra Constabulary were sent; for it was well known that extra forces had to be sent down, but a short time ago, to the West of Ireland, in one case on account of what had taken place at a not-too-respectable meeting, and in the other owing to a persecution which had been set on foot for the purpose of hunting certain people, who happened to be Protestants, out of that part of the country. He hoped that when the hon. and learned Member for Louth next spoke upon the subject of the Constabulary, he would not be so kind as to lay all the sins of Ireland on the shoulders of his (Mr. Verner's) co-religionists in Ulster, who, in sending to the House Members not so full of a peculiar zeal, had, at all events, sent Members who were far less troublesome than those from the other parts of the Island.

Mr. SULLIVAN said, that the hon. Member who had just sat down must have confounded his observations with those of some other Member, for not one word had fallen from him of an offensive or hurtful kind with reference to the co-religionists of the hon. Gentleman in the North of Ireland.

Mr. J. LOWTHER said, he hoped that the discussion would now be allowed to close. The subject had been very properly brought forward by the hon. and learned Member for Limerick (Mr. O'Shaughnessy); but he did not suppose that although the Inspector General was expected to stamp out cattle disease, he could be expected to stamp out sectarian animosities. The point raised by the hon. and learned Member was a very fair one. The attention of the Government had been called to the matter in "another place," and the Government had given an assurance that the police would be called upon to perform certain duties which, in the opinion of the Government, the Act of Parliament imposed upon them.

Mr. A. MOORE said, that the Government who repealed the Act relating to processions in Ireland had thereby done a very cowardly thing, and acted in opposition to the opinion of the Roman Catholic Bishops, who had given it against the repeal of that Act. He was quite sure that it was the view of every sensible man—and especially of the Roman Catholic Clergy—that those processions which had been referred to, and which only served to continue angry feuds, should cease.

The CHAIRMAN said, that he must call the attention of the hon. Member for Clonmel (Mr. A. Moore) to the fact that the question now before the Committee was the Amendment of the hon. and learned Member for Limerick, and that it would be much more in Order to discuss the Vote generally after that Motion had been disposed of.

Mr. O'SHAUGHNESSY feared that he must persevere with his Amendment, and divide the Committee, in order to record a protest against an authority, like the Inspector General of Constabulary, admitting that he was ignorant of the duties imposed upon the force by the Contagious Diseases (Animals) Act.

Mr. BRUEN hoped the hon. and learned Member for Limerick would not trouble the Committee by dividing, after the statement of the Chief Secretary for Ireland.

Major O'BEIRNE protested against the system of drafting constables, and objected to giving any protection to missionaries in Ireland, with whose religious views he did not agree.

THE CHAIRMAN pointed out to the hon. and gallant Member that the Motion before the Committee was that of the hon. and learned Member for Limerick, relating to the Inspector General of Constabulary.

MR. BIGGAR wished to give shortly the experience of the Guardians of the Cavan Union, where the Act had been brought into operation. The Guardians of that Union appointed a veterinary surgeon, whose duty it was to investigate the complaints made by all parties with reference to the disease. The veterinary surgeon had to visit all places in which it was complained that cattle disease existed. His invariable experience was that there was hardly a case to which he was called where the cattle disease was found to exist, and thus to entitle the parties to compensation under the Act. He would like the right hon. Gentleman the Chief Secretary to take care that the local rates were not burdened with the expense of these police, who had nothing to do a great part of their time. The Poor Law Guardians had adopted all sanitary precautions, and looked after the disease; and it seemed to him that if this Act were good for nothing, it would be most desirable to repeal it. He was very much surprised to see the right hon. Gentleman agree in the policy of these Cattle Disease Acts, thus leaving the ratepayers to be burdened by greatly increased rates.

Question put.

The Committee *divided:* —Ayes 16; Noes 74: Majority 56. —(Div. List, No. 186.)

Original Question again proposed.

MR. CALLAN begged to move to reduce the Vote under sub-head D by the sum of £110, being the sum for medicines and compounding at the Royal Irish Constabulary depôt, Dublin. The medical allowance amounted to £1,829, and that included the amount by which he moved to reduce the Vote. His object in making the Motion was to draw attention to the manner in which the Royal Irish Constabulary were attended to when sick in Dublin. He had no complaint to make with regard to the way in which they were attended in the counties, for that was considered generally satisfactory by the men; but complaint was made with reference to the way in which the men at the depôt in Dublin were attended to when ill. So defective was the system under which they were at present treated, that last year a Court of Inquiry was held into a case which occurred. When a policeman at the depôt in the Phœnix Park became ill, he was sent to St. Stephen's Hospital, and 10*s.* 6*d.* per week was deducted from his pay to defray the cost of his treatment. The men complained very much of the character and condition of the persons with whom they were bound to associate with in the yard of that hospital. They were, probably, the worst characters in Dublin, the hospital being notoriously used for treating venereal cases. His attention had been drawn to this matter by the inquiry held last year on the body of a constable who had died while in the hospital. The inquiry lasted five days, and resulted virtually in a verdict of manslaughter against the hospital authorities. The delinquents, however, could not be brought to justice. It was proved that when men were first sent to this hospital they were placed upon a very low and insufficient diet. The officers having charge of the Constabulary wards had fixed a scale of payment for what they were pleased to term luxuries. Thus, a fresh 1*d.* roll was sold for 2*d.*, and a fresh egg for 2*d.*, while a glass of whisky was strictly prohibited, both by the Constabulary and hospital regulations. Men were thus kept upon a very lowering diet; and it was recognized, as a part of the instructions of the hospital, that anything extra they required should be sold to them at most exorbitant rates. Some little time ago the hospital changed the nurses and officials. In consequence of that, the Lord Lieutenant directed an inquiry to be held by the central Medical Board in Dublin. A Court of Inquiry was held, and four or five days were spent in the consideration of the matter. But he believed the inquiry was a very imperfect one, as none of the witnesses who could really have given information were called before the Court. The inquiry was, moreover, held with closed doors, and under peculiar circumstances. There was no doubt that if any policeman had given evidence before the Court that he had bought extra food he would have been fined, and reduced to the ranks for breach of the regulations. The City of Dublin

Police were treated differently. When any of them were ill they were sent to certain hospitals, and 7*s.* per week was deducted from their pay on account of their treatment. If Catholics expressed any wish on the subject, they could be sent to the hospital of Mater Misericordiæ, or to St. Vincent's Hospital; while the Protestants, if they pleased, could go to the Adelaide Hospital. That arrangement gave great satisfaction to the men; but the Royal Irish Constabulary were compelled to go to St. Stephen's Hospital, and were charged 10*s.* 6*d.* per week for their treatment there. Moreover, St. Stephen's Hospital was regarded as a sectarian institution. Protestant policemen were allowed to attend the services of their own church attached to the hospital; but Catholic policemen were invariably refused permission to attend the religious ministrations of their own religion. Some years ago some Catholic policemen asked leave to attend the services of their own Church; but the surgeon told them that if they were well enough to attend mass they were well enough to leave the hospital altogether; and they were thus refused permission. Very naturally the policemen complained of that treatment. They said that it was very hard to charge them 10*s.* 6*d.* per week for going to an hospital, in the yards of which they were obliged to associate with the worst characters—not with the absolutely criminal class, but with the low type known as corner boys. They asked—"Was it a fair thing that they should not have the same privileges as the Metropolitan Police, in being allowed to go to one or two selected hospitals—such as the St. Vincent's, or the Mater Misericordiæ in the case of Catholics, and the Adelaide Hospital in the case of Protestants?" He hoped that the right hon. Gentleman the Chief Secretary would cause instructions to be issued, to the effect that the same facilities were to be given to the Royal Irish Constabulary as to the Dublin Metropolitan Police in these matters. If the right hon. Gentleman would give him that assurance, he would not enter into many painful matters connected with this subject, for he should be glad of an opportunity of avoiding doing so. He begged to move that the Vote be reduced by £110, under subhead D, for medicines and compounding.

Motion made, and Question proposed, "That the Item of £12,829, be reduced by the sum of £110."—(*Mr. Callan.*)

MR. GRAY hoped that the right hon. Gentleman would see his way to give the assurance asked for by the hon. Member for Dundalk. The inquiries that had been held disclosed circumstances in the management of the St. Stephen's Hospital of a most discreditable character. Without going into details, which would be of a very painful character, he might say that he could see no reason why the system which had been found to work satisfactorily for the Dublin police should not be adopted and made to work to the satisfaction of the members of the Constabulary. There was very fair ground for allowing the men to go to other hospitals besides the St. Stephen's. He was sure that the right hon. Gentleman the Chief Secretary could do a great deal of good by using his influence in this matter.

MR. J. LOWTHER said, he certainly would inquire into this case; and if the statements which had been made by the hon. Member for Dundalk proved to be founded on fact, he would take steps to remedy the grievance complained of.

MR. CALLAN said, that after the assurance given by the Chief Secretary, he did not wish to proceed with his Motion. He should think it his duty to place a Motion on the Paper asking for Returns of the depositions taken at the inquiry before the Coroner when the whole mismanagement with respect to the hospital was disclosed. He thought that, after the Chief Secretary had seen those documents, he would be able to act in the manner he had promised.

MR. MELDON said, that there was an assurance that might be given to the Committee without the safeguards with which the Chief Secretary had surrounded the promise he had already given. Could he not assure them that the Royal Irish Constabulary should be treated equally well with the Metropolitan Police of Dublin? At present, there was a very serious difference in the treatment of the two corps when sick. He did not see why a Constabulary man should be called upon to pay 10*s.* 6*d.* per week for his treatment in hospital, while a member of the Dublin Metropolitan Police was only charged 7*s.*

He thought that they ought to have an assurance that the Royal Irish Constabulary, living at the depôt, should be as well treated as the Metropolitan Police.

MR. CALLAN expected the assurance to which the hon. Member alluded, simply because the right hon. Gentleman the Chief Secretary had stated that, if the facts bore out what had been stated, then the grievance would be remedied. He was very unwilling to bring before the House the painful evidence he possessed with reference to this hospital; his only object was to insure that the Royal Irish Constabulary were to be treated properly. He could see no reason whatever why 10*s.* 6*d.* per week should be charged to the men by the regulations of the Constabulary, and that they should be allowed no option but to go to St. Stephen's Hospital. They were, no doubt, charged 10*s.* 6*d.*, because the authorities of the St. Stephen's Hospital demanded that sum for their maintenance; but with the other hospitals there was competition, and the authorities were anxious to pay all attention to the force.

Motion, by leave, *withdrawn.*

Original Question again proposed.

MR. SULLIVAN wished to bring to the attention of the right hon. Gentleman the Chief Secretary for Ireland a cause of serious complaint against certain police officers in Ireland, to which he would further call attention by putting a Question. He had given Notice of the Question that evening for Thursday next with reference to the subject, and he had occasion to question the Chief Secretary some time ago with regard to a very similar occurrence. The matter to which he now wished to refer occurred at a town in the county of Armagh. From more than one correspondent he had received most serious impeachments of the conduct of the police with reference to these lamentable transactions. He hoped that the Irish Chief Secretary would grant an inquiry into the conduct of the police authorities in this particular district, when he had heard the facts of the case. A young man, named Edward Carberry, was proceeding along a road not very far from the town with his brother, who was somewhat behind him. It was dark, and suddenly the brother, walking behind, heard Edward Carberry call out that he had been stabbed. There was no affray, and there was no noise; but two or three men rushed away, and the brother found Edward Carberry weltering in his blood. The wounded man was taken home, and the police sergeant came to his bedside. That young man, mortally wounded, survived for 20 hours; but the police sergeant neglected to receive his dying deposition, although four or five magistrates were within two miles of the spot where the victim lay. Owing to that neglect of the police sergeant the young man died without having made any deposition, although it was said he was able to name the person by the stroke of whose dagger or knife he had been assassinated. The deposition of the unfortunate man was not taken, solely owing to the culpable neglect of the sergeant of police. He had brought the matter to the attention of the Irish Executive, and some arrests were made; but, owing to the neglect to take the dying deposition, there was not sufficient evidence against the criminals. He did not know whether the right hon. and learned Gentleman the Attorney General for Ireland recollected the circumstance that, owing to the neglect to which he had called attention, the trial of the supposed murderer was abortive. No one could be brought to justice for the murder of this young man in cold blood, owing solely to the neglect of the police. The persons who had been acquitted he was bound to assume were innocent; but he mentioned, as a circumstance causing the gravest dissatisfaction in the neighbourhood, that when these men were returned for trial, a sort of triumphant procession received them on the way from the Court-house. But he was asked to bring a complaint before the Attorney General for Ireland of this fact, on the part of the Crown prosecutor, that these men were admitted to bail, the charge being then put, not as wilful murder, but as manslaughter. The reply he made was that he could not believe that these proceedings were taken unless under the authority of the Attorney General, and that his conviction was that that learned Gentleman would act in such a case *bonâ fide*, and with the highest sense of honour. He was not complaining; but he would only mention that there was complaint made in the district that a man charged with murder was admitted to bail on grounds of party feeling. But although admitted to bail on the assumption that he was to be tried for manslaughter, yet he was actually arraigned for murder. It was an unfortunate coincidence that, in order to enable the accused to be admitted to bail, when before the legal tribunals, he was only charged with manslaughter, while he had been arrested for murder. He thought that there ought to be an inquiry into the whole circumstances of this case, particularly as it was proved at the trial that Sergeant Duart neglected to search for sufficient information to convict the accused. Sergeant Duart, instead of appearing as a witness for the Crown, appeared against it, and asserted certain circumstances which could be completely contradicted by witnesses who could be brought before a Court of Inquiry. It was stated by Sergeant Duart that young Carberry had told him that he did not know who stabbed him; but he (Mr. Sullivan) had letters which showed most distinctly that that young man knew who murdered him, and was ready to name him. It was a grievous thing that that young man of exemplary character going home should be encountered by some evilly-disposed persons and stabbed to death in the presence of his brother. In the same district, a little boy of 13 or 14 years of age met parties who called upon him to curse the Pope. He refused, and they drew a knife and stabbed him, leaving him weltering on the ground in blood. He was now, while he spoke, lingering between life and death in his father's home in Armagh, and no one had been brought to justice for the shocking occurrence any more than for the last. A large part of the district in which these occurrences took place was under the charge of the same police officer, and inquiry ought certainly to be made into the matter. He would ask the right hon. and learned Gentleman to promise him, on behalf of the Irish Executive, that there should be an inquiry into the conduct of the police in this district. He might mention that there had been one or two other instances of inefficiency of the police of the same district. He could only assure the right hon. and learned Gentleman the Attorney General for Ireland, that when application was made to him (Mr. Sullivan) to complain of the conduct pursued in this case, he declined to do so, because he considered that action in the matter had been taken by the Attorney General. He trusted that the inquiry would be granted.

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) said, that it was a little inconvenient that a case which had been tried before the Assizes should be brought to the attention of the House without Notice. It was impossible for an Attorney General to bear in mind the numbers of cases that were continually occurring. He could not recall the circumstances of this particular case; but, so far as he could understand the matter, his impression was that the unfortunate man who had been stabbed died a very short time afterwards. He must point out to the hon. and learned Member that the taking of a dying declaration was rather a question for a medical man than for a policeman. He knew no matter in which nicer distinctions had been taken than in the matter of dying declarations. A man died shortly after receiving a wound who did not think that he was going to die. It was absolutely necessary to the validity of the declaration that it should have been made by the wounded man, in the belief that he was going to die immediately afterwards. Unless that were the case, it would fail in cross-examination. It might be that the young man in question did not have it present to his mind that he was in any danger; or it might be that the magistrates did not know it; or it might be that the police-sergeant did not know that the man was going to die so soon. It appeared also, from the statement of the hon. and learned Member, that the brother of the young man was present all through, and watching well every circumstance of the transaction. If the brother had thought that the unfortunate man, Edward Carberry, would die, and that with him would die the evidence necessary to bring his murderers to justice, then he could have gone to one of the four or five magistrates in the neighbourhood. Why did not the brother go to them? He did not know how the facts were; but he could only say how the matter occurred to him from what he had heard. It was not at all such a simple matter as the hon. and learned

Member seemed to suppose. Then, with respect to what had been said about admitting the supposed murderer to bail, he supposed the case was before the magistrates, and they were responsible for what was done; or it was before the Court of Queen's Bench in Dublin, and probably the Crown was there represented. [MR. SULLIVAN: By Mr. Monro.] He had no doubt that the case was clearly presented to the Bench, and that the Bench decided to admit the prisoner to bail. With regard to the indictment which the hon. and learned Member had framed against the police, he could hardly think that it raised a very serious question. The distinction between manslaughter and murder was often very fine. Under ordinary circumstances, there was a complete investigation, and the usual practice was to indict for murder, in order that the man might be tried for the full crime; but, at the same time, counts were inserted to provide that, if acquitted of murder, the prisoner might be tried for manslaughter. In the ordinary course, he received Returns of the Crown cases occurring in the County Armagh. He had not yet had the Returns relating to the prosecution in question; but when they came before him he would look into them carefully, in order to see how far the complaint made by the hon. and learned Member was justified.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

MR. MELDON moved to omit from the Vote the item of £5,215 in respect of the pensions of the Inspector General and Assistant Inspectors General. He was sorry that that was the only opportunity he had had of raising the question, which he regarded as one of very great importance. So far as the pensions of the members of the Constabulary force since 1874 were concerned, there was no cause for complaint; but with regard to the pensions of those who retired previous to that year, the grievance under which they laboured was of a very serious character. He regretted there were so few Members present; because he was sure that he had only to lay one or two facts before the Committee to convince them that many of the superannuated members of the force had serious cause of complaint. The Metropolitan Police and the Royal Irish Constabulary became entitled to pensions under precisely the same Act—namely, 10 & 11 *Vict.* c. 100—and shortly after it came into force the pay of both forces was increased. When the Metropolitan Police came to retire under the Act, their pensions were calculated upon the standard of the pay they were receiving at the time of their discharge; but the same principle was not applied when the men of the Constabulary came up to claim their pensions. Their pay was not fixed according to the rate of their pay at the time of their discharge, but at the rate of pay which existed in 1846, when the Act to which he had referred was passed. Both bodies of police were pensioned under the same Act, and under identical terms; yet this most extraordinary occurrence happened—namely, that the officers of the Royal Irish Constabulary, who were pensioned under the same Act as the men, had their pensions calculated at the rate of pay in existence when their pensions were granted; whereas the men, though pensioned under precisely the same terms, were pensioned at the rate of pay received in 1846. That statement clearly showed that, for some reason or other, the men forming the force were dealt with in an entirely different manner from their own officers, and also from the members of the Metropolitan Police. He had often endeavoured to find out the reason for this peculiar distinction; and the only one he could conceive—and it was not a satisfactory one—was that two different lawyers were consulted in regard to the interpretation of the Act, one on behalf of the Metropolitan Police, who put the proper construction upon it, and another on the part of the Constabulary, who put another construction upon the Act. An explanation of that kind was given in 1875. He brought the question before the House by a Motion, and the answer he received on that and on previous occasions was that the Executive, when they awarded the pensions to the Constabulary, gave the full amount which the law entitled the men of the Constabulary to get. The conduct of the Constabulary was admitted to have been most excellent; and the Secretary of State for the Colonies stated that the Government gave the utmost penny that the law permitted them to give; and that any discretion they possessed had been given in favour of the Constabulary. Now, he differed on a point of law from the Government at the time; and he proposed that a case should be taken for the opinion of the Law Officers of the Crown, and he stated that if they decided against him he would abandon the position he had taken up; but that if the decision was in his favour the pensions of the Constabulary men should be raised to the amount to which they were entitled. His view of the law was that the Government had the power to give the men of the Constabulary exactly the same pension which was given to the Metropolitan force—namely, a sum calculated upon the rate of pay at the time of their dismissal, and not upon the rate in existence in 1846. The case was put before the Law Officers of the Crown, and their opinion was in favour of his view; and it was then clearly stated that the Government had a discretion, and that they might have awarded the men pensions calculated upon the rate of pay they received at the time of their discharge. The Government, then, in the most extraordinary manner, changed their attitude in regard to the matter. They ceased to say that they had no discretion, and said instead—"You were right in saying we had a discretionary power to give you a larger sum; we had the discretionary power, but we exercised it in giving you a smaller sum." Now, that answer was quite irreconcilable with the first one which was advanced. The fact was, that the position he was advocating admitted of no answer. There was no justice in the position which the Government took up. It was, indeed, as great an act of injustice that could well be perpetrated. It was a case of might against right; and he challenged the Government to give any reasonable explanation why the men of the Constabulary had been robbed of their proper pension. There was another point of great importance to which he wished to draw the attention of the Committee. When the Act of 10 & 11 *Vict.* was passed, a certain sum was deducted from the pay of each of the Constabulary force, with the view of forming a pension fund. The sum so obtained accumulated until it amounted to between £50,000 and £60,000; but, instead of being applied to the purpose for which it was instituted, it was employed by the Treasury for some other purpose. Now, the superannuated members of the force did not want anything to be given them from the public funds. They simply wanted their pensions to be increased out of monies which they had themselves paid into the fund during a long series of years. They simply asked to be dealt with fairly, and to be paid that of which they had been most unjustifiably deprived; and a stronger case than they had he did not think had ever been brought before the notice of the Committee.

Motion made, and Question proposed,

"That the Item of £5,215, for Pensions of the Inspector General and the Assistant Inspector General, be omitted from the proposed Vote."—(*Mr. Meldon.*)

Mr. O'SHAUGHNESSY said, the grievance had assumed such proportions that it would be creditable to the Government and to the Committee if it were speedily redressed. What had occurred? The first case made by the Government was that they had no discretion to grant additional pensions, and they expressed regret that they had not, remarking that if they had they would have met the demands which had been made. The Law Officers decided that the Government had the discretion. They then turned round, and said—"Notwithstanding all our magnanimous feelings towards the Constabulary, we decline to exercise it; the law enables us to pay the sum you demand, but we will exercise our discretion, notwithstanding all you have said." Now, was that a worthy attitude for the Government to take towards the poor men who had deserved so well of the Treasury? Why should those men be treated worse than the members of the Metropolitan force? Was it an encouragement for men to enter the force in the future? It was a pitiable grievance to be obliged to bring before the notice of the House from time to time; but it was so gross an act of injustice that there was no help for it but to continue to bring it forward till it was redressed, and the men received their just rights.

Colonel KING-HARMAN was of opinion that many of the men who were superannuated had a fair claim upon the Government for an increase of their pensions. It was true that a great many men were put forward as entitled to extra pensions who had no such claim; and that a large number of men who were entitled to an increase had been merged in the crowd of claimants, and their claims had, accordingly, been ignored. But a great many men, who left the force about the time the new Act came into force, were, in common honesty and justice, entitled to have their claims considered. It did seem extremely hard that those men, who had spent the best years of their lives in the Service, should find themselves worse off than men who were discharged a few months after them; and his own opinion was that the Government had not treated them with that liberality which was due to men who had stood by the Government in times of difficulty with a fidelity and courage rarely equalled.

MR. GRAY said, the real secret of the continued refusal of the Government to give full pensions to the men was not to be found in any explanation which had been given, but rather in the same cause that had induced the Government to keep the Constabulary force below their proper strength, and to retain on the roll men who were not effective—namely, because the cost of the superannuation of the force had been under-estimated, and that the authorities were endeavouring to keep the Vote down, in order to make up for the deficiency occasioned by the blunder in the beginning. He found that the Estimate for pensions had increased by £20,000; but he contended that it was far from right to meet that increase by depriving men of their just rights on retirement after long and honourable service. He thought the fairer and more straightforward way would be for the Government to estimate for a smaller number of men, and pay what was due to the superannuated men, who now so justly complained. The Government at one time said that if they had the power they would have placed the men of the Constabulary on an equality with their brethren of the Metropolitan force; and yet, now that they admitted they had the power, they declined to do for the men what was a simple act of justice, and what they had virtually promised to do if they had the power. He did not think that that was conduct worthy of the English Government. It was a most discreditable state of things, and ought to receive at once the most serious attention of the Government, with a view to the injured men receiving redress without further undue delay.

THE CHANCELLOR OF THE EXCHEQUER was sorry he had not foreseen that that Vote would have come on that night, as he had no source of reference in regard to the point at issue beyond his memory. So far as he could trust his recollection, he could assure the hon. Member who had just sat down that it was not at all with the view of keeping the Constabulary or Pension Vote within a certain sum that the Government had declined to grant the extra pensions. On the contrary, they had been guided by what they considered to be the real merits of the case. Speaking generally, what he recollected was this—that a movement was made for raising the salaries of the Constabulary. There was also a movement for increasing the scale on which superannuation was to be awarded. The objects of both of those movements were carried out. But in the Preamble of one of the clauses of the Statute it was stated that it was not intended to give the Constabulary the double advantage. That was to say, they were to have the option of retiring either on the scale of the old rate of pay, under the new regulations for superannuation, or at the old rate of superannuation upon the higher scale of pay. That was his impression of the circumstances, as far as he could recollect them. There was no doubt at all, from the Preamble of the Act, as to what the intention of the Government was in agreeing to the alterations which were contemplated by that measure. He believed that after that Act was passed a certain number of men in the Constabulary were told by their superior officers, by mistake, as the Government believed, that they would be entitled to pensions calculated upon the higher scale, and that upon that statement a number of them retired. There was a doubt as to whether or not that was a legal construction of the Act. The matter was laid before the Law Officers of the Crown, and their opinion was that it was competent for the Government to grant what had been granted. He thought it could only be concluded, therefore, that Her Majesty's Government had a perfect right to raise the rate of superannuation if they chose to do so; because it was clearly under-

Mr. J. LOWTHER said, that no one would rejoice more heartily than he should to place a walking-stick in the hands of each member of the Irish Constabulary, if that would suffice for the protection of life and property; and he hoped the Irish Members would co-operate with the Government in endeavouring to bring about such a happy condition of affairs. But they had not yet attained so desirable a state of things; and, in the meanwhile, they could not reduce the means which now existed for enabling the Constabulary to preserve order.

Mr. MITCHELL HENRY said, they had heard several times in the course of the debate that the police must be armed, because there were mobs going about Ireland with firearms. Now, he was sure that in many parts of Ireland —and particularly in the West—there were hardly any arms at all; but if a policeman's promotion depended on the reports he made to the authorities, they would not want statements of the formidable weapons to be found everywhere in the country. The fact was, this was simply the effect of that centralized government which was being imposed on the people. It was known that there was no part of Europe where a man, woman, or child, could travel with greater safety than in Ireland. Nobody thought it necessary to go armed in Ireland. Yet it was a prominent fact—and one which struck foreigners particularly—that in such a country there was to be seen at every station two or three policemen armed with bayonets peering into the carriages, as though they were looking for some assassin or revolutionist who was about to raise the country around in insurrection or blow up the neighbourhood. This was a state of things which was absurd, and which could not exist if the Irish people had the management of their own affairs. At present, the police were trained to the use of firearms and bayonets. He spoke with the greatest confidence in the truth of what he said, when he affirmed that if the people who governed Ireland could only take the bold step of disarming their police, and put into their hands the baton used by the police of London, they would at once produce a material effect on the minds of the Irish people, and gradually get rid of the military force which they felt it necessary to preserve in the country now. Then he believed the Irish police force was maintained in its present condition because it was thought that the Government could make a draft on them in time of war. It was really a military force kept up without the consent of Parliament, and it was well known that there was an intention to send out a contingent of them to the Crimea. The whole system was absurd on the face of it; and it would not be got rid of until the Irish Government really understood the Irish problem, which they would not do so long as they took their information from those who understood nothing of the people. The right hon. Gentleman who had just spoken was not easily alarmed; yet he would arrive at that conclusion, if he went to Dublin Castle and allowed himself to be influenced by the reports, beginning with the familiar "we have information," &c. When a Judge tried a case at the Assizes, he said—"I am sorry to say it is reported to me by the Constabulary that there is a great deal of undetected crime," and so on. He thought this was a legitimate opportunity of raising the question; and, unless they had some distinct assurance from the Government for the future, he hoped they would succeed in preventing the passing of the Estimates next year.

Mr. O'DONNELL would certainly take a Division, though he regretted he was obliged to divide on the whole Vote, instead of on one item. He hoped they would not be charged with obstruction, for this was a definite objection against the unnecessarily martial character of the Irish police. The right hon. Gentleman the Chief Secretary for Ireland, feeling that he had no case, had dismissed the subject with a couple of jestive and sportive remarks, saying that there must be a police force. If it was necessary to coerce the people, let the Government call in their horse and foot Dragoons, in order that the real problem before the country might be thoroughly understood. But, as it was, the people of England did not know that, by means of the Constabulary, the English Government was continually dragooning Ireland.

Mr. BIGGAR believed the right hon. Gentleman was thoroughly misinformed in talking about armed bands. There might be religious processions, and such a thing, perhaps, as a little stone-throwing; but there was nothing else of the sort.

MAJOR O'GORMAN cordially agreed in the observations of his hon. Friend the Member for Galway (Mr. Mitchell Henry). It was perfectly true that the police in Ireland were unnecessarily armed. The excuse for arming them was the stories continually told by the Dukes, Marquesses, Earls, Protestant Archbishops, and others—especially the two last—to the Lord Lieutenant and the Chief Secretary for Ireland. These people were invariably Englishmen, who knew nothing whatever of the people of Ireland, and could not even pronounce the word "Geoghegan." The Irish officials were, in fact, led by the nose by these men who came to talk to them, simply because they had handles to their names. They had had, however, one Lord Lieutenant who was an Englishman; but he was an enlightened Englishman. He never got up till 4 or 5 o'clock in the day. One day the Archbishop of Dublin rushed into his room, exclaiming—"Oh, my Lord! my Lord! the country is up! The country is up!" "Well," said the Lord Lieutenant, "what time is it?" "Four o'clock, my Lord," said the Archbishop. "Well," said his Lordship, "it is time for everyone to be up now;" and he got up. He did not believe the Archbishop. He did not send down the coercive force which the Archbishop demanded. This reminded him of an occurrence in South Africa. He remembered, when he was there, that a clergyman belonging to the people sent out to convert the Natives—[An hon. MEMBER: A missionary.]—Yes, that was it—a missionary—sent out to convert the people, who had a very decent religion of their own, if they were allowed to keep it. These people came to South Africa for no other purpose, to his own certain knowledge, than that of plunder. One of them rode into the camp where he was, one day, and said to his colonel—"I want a commando." "What," said his colonel, "is a commando?" The missionary replied that it was a force of armed men. "For what purpose do you want it?" asked his colonel. "For the purpose of punishing a chief," he replied. "For what reason?" asked his colonel. "There is a flag of truce now flying." "Oh," said the missionary, "a chief has stolen my horse." "Indeed," replied the colonel. "Well, I shall not give you a commando, but I shall make inquiries." He did make full inquiries, and he found that the missionary had stolen the chief's horse, and that the chief was only getting back what was his own. That was precisely the case in Ireland. These people from England were sent over entirely ignorant, utterly unacquainted with the circumstances of the country. They left a country which was guarded by, perhaps, one policeman in a whole town, and they arrived in a country which was more quiet than this, with less violence and much less crime. But the moment they arrived in Dublin they received information of all these things from these people whom he had described as Dukes, Marquesses, and Earls, who had been from all time the enemies of the people of Ireland.

Question put.

The Committee *divided*:—Ayes 18; Noes 127: Majority 109.—(Div. List, No. 188.)

Original Question again proposed.

MR. GRAY, in moving the reduction of the Vote by £500, said, earlier in the evening attention had been drawn to the Petition in which certain inhabitants of Dublin called attention to the employment of an extra number of police at the Skerries. There was a dispute between the lord of the manor and certain of the inhabitants with reference to the right to the fore-shore, and the inhabitants—acting within their rights—demolished a wall which the landlord had built. Then, instead of taking his legal remedy, a number of police were employed to guard the spot. Since then, it had been decided that the inhabitants were entitled to this property, and that the landlord had acted illegally; and he wished to know who was to pay for the employment of these police? He submitted that the public, in this case, should not be called upon to pay a heavy police tax, nor should the Imperial Exchequer be burdened. In another case, where the *employés* of a railway refused to work, a large force of the Constabulary were posted along the line to guard it, and to preserve the peace. But they also acted as signal men. In that case, where the need for the preservation of public peace was much greater, the Railway Company were compelled to pay for the use of these forces. If that was the case, then he certainly thought that the landlord should pay for the police he used in this case. He had no desire to unnecessarily occupy the time of the Committee; but, unless the Government would give some assurance that neither the public funds nor the locality would be taxed to pay the cost of these police, he should certainly take the opinion of the Committee upon the question.

Motion made, and Question proposed,

"That a sum, not exceeding £821,692, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Constabulary Force in Ireland."—(*Mr. Gray.*)

Mr. GRAY asked, if the Amendment he had proposed would interfere with a subsequent Vote; and whether, if a reduction by a larger sum were proposed, he would be prevented moving his Amendment?

The CHAIRMAN pointed out that in the event of the Amendments being proposed at the same time, it was the duty of the Chair to put first the Amendment which proposed the largest reduction, and subsequently, and in order, the other Amendments proposed, in the event of the first not being accepted by the Committee.

Mr. J. LOWTHER said, that, as far as he could recollect the case, it was this. A question of law was raised by certain persons, and when the decision was given they set themselves against it, and asserted their claim by force. But the hon. Member asked what right the Constabulary had to interfere? Well, if any persons were to pull the hon. Member's house down on the strength of some party laying claim to it, he thought the Constabulary would interfere. A sufficient force of police was sent, for it would have been of no use to send one or two men, and a resident magistrate went to see that the public peace was preserved. The people proceeded to pull down a wall, and so long as a Court of Law had pronounced a decision in support of the right to erect it, it was a breach of order to run off ——

Mr. O'SHAUGHNESSY said, he wished to set the right hon. Gentleman right on some matters of fact. It was not correct that there had been a decision according to law, giving the plaintiff in the case alluded to by the hon. Member for Tipperary (Mr. Gray) a right to the fore-shore. There had been a verdict, but it was set aside; and, so far as the ultimate decision of the superior Court went, he was informed, by a Petition presented that evening, that it was against the right of the plaintiff to the fore-shore claimed. Proceedings had taken place before the local magistrates; but they declined to entertain them, on the ground that they raised a substantial question of title with which they had no right to deal. The plaintiff completed the wall, and police were sent down to sustain it, while a resident magistrate was also sent to keep the people in order. The people asked leave to exercise their rights, without prejudice to the rights of the plaintiff, pending litigation, and some of them were taken, handcuffed, and marched off to prison. That was different from a man being protected in his right to build on a site to which his right was established. This was only an alleged right, which was not sustained in Courts of Law.

Mr. J. LOWTHER: If the parties accepted the decision of the superior Courts——

Mr. O'SHAUGHNESSY said, that was what they did do, and the decision of the resident magistrate was quashed.

Mr. J. LOWTHER said, he thought the authorities were justified in preventing the battle on the fore-shore being fought out by physical force. The legal tribunals of the country were open to everyone, and the proper course for any persons to adopt who wished to establish any private or public rights or claims of any kind was to apply to those tribunals and to abide by the result, not to go to the place under dispute and to assert their real or imaginary rights by violent and illegal measures endangering the public peace.

Mr. O'SHAUGHNESSY asked, if the County of Dublin or the Imperial Revenue was to pay this charge?

Mr. J. LOWTHER: The Imperial Revenue.

Sir ANDREW LUSK said, that the question before the Committee being as to whether a certain sum of money should be voted to maintain the Constabulary in Ireland, hon. Members appeared to him to be playing with the House in discussing the building and knocking down of walls in Dublin, and in disputing whether they belonged to the county or the town. It was not very creditable to Irish Members to talk in this way, and something would have to be done to preserve Order in the House. Years ago, all the distinguished men in the City of Dublin asked the State to pay for the Dublin police, because they could not pay for them themselves.

MR. CALLAN rose to Order. The Vote referred to the Constabulary force for Ireland. The hon. Member was referring to the Metropolitan Police force.

THE CHAIRMAN said, the hon. Member for Finsbury (Sir Andrew Lusk) appeared to be referring to a Vote other than that before the Committee, and which related to the Dublin Metropolitan Police.

SIR ANDREW LUSK regretted that he had strayed a little from the point in his last remarks. It was very noticeable that Irish Members could go on speaking about everything but the Constabulary Vote before the Committee, while he was called to Order for inadvertently saying one word upon another Vote. He trusted hon. Members would allow the Committee to get on with Business, for the course then being followed was simply trifling with the House of Commons.

MR. GRAY said, if the hon. Baronet the Member for Finsbury did not understand the question raised by hon. Members upon this Vote, he protested against his describing it as wasting the time of the House. The expression might not be Parliamentary, and he would therefore not apply it to the harangue of the hon. Baronet, who, if there had been any waste of time at all, was the real cause of it. The hon. Baronet had told the Committee, 20 times over, that the Vote was for Constabulary; and if he could not see that the question now raised by him (Mr. Gray) was properly raised on that Vote, all he could say was that he pitied the constituents which the hon. Baronet represented. The hon. Baronet charged him with playing with the House, when on this very question an influential and numerously signed Petition had been presented; and when he (Mr. Gray) was discussing it, in obedience to many letters which he had received from Dublin, the hon. Baronet was certainly presuming on his representative character, and it would be better for him to confine himself to representing his constituency in Finsbury.

MAJOR NOLAN said, the hon. Baronet the Member for Finsbury had introduced a very delicate question into the discussion upon this Vote. The hon. Baronet was a valuable Member of the House, especially on questions of economy; but he could not help thinking that upon this occasion his love of economy had rather outrun the equity of the case as between Great Britain and Ireland. He (Major Nolan) feared, from the answer given by the Chief Secretary for Ireland, that he had not well stated the case to which he had directed attention. In Connemara there was an extra tax levied in certain districts on account of disturbances, the existence of which was acknowledged to a certain extent, but which had been very much exaggerated. But these disturbances had no connection with agrarian disturbance; and he asked the Government to distinctly state that they levied heavy taxes on certain districts as a punishment for offences which were not agrarian. Did the law allow this, and were the Government willing to take the responsibility? His own opinion was that the ordinary forces ought to be sufficient to maintain order, when there was not any question of agrarian disturbance. He wanted to know why an extra rate of 9½*d.* in the pound had been imposed in the parish of Ballyhoon, when only a few windows were broken? His next question related to the exemption from this extra tax of certain persons by some authority other than that of the Grand Jury; and in this case he wanted to know whether these exemptions were legal? To these three questions he desired to receive from the Attorney General for Ireland specific answers.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) thought the hon. and gallant Gentleman could not have been in the House when he gave his former answer. He had to say, in reply to the questions, that the imposing an extra tax on a district was a matter for the Executive. He was not aware of the special circumstances that had been mentioned; but no doubt the Chief Secretary would answer any question that was put to him. He did not think that the power was confined in the Act to cases of agrarian disturbance. As to the case of Skerries, there was one decision which had been omitted, and that was a decision on more than one occasion by Mr. Sullivan, the Irish Master of the Rolls, that when there was a determination on the part of a number of people to assert a right without regard to the law, he thought it was the duty of the authorities to see that there was a sufficient body of police present to preserve the peace.

Mr. MITCHELL HENRY said, the Attorney General for Ireland had told the Committee what was the law with regard to a proclaimed district; but the district in question was not a proclaimed district. It was the custom—but he doubted whether by law—that the Government could send police into a district, and then charge them upon the inhabitants. But was it possible that any Government could have the power of raising this tax upon a district, and of saying that particular individuals should be exempted? The Government had not only located a few policemen in a small district for a limited period, and charged 9½*d.* in the pound on the assessment of the inhabitants there, but had made communications to three or four Protestant gentlemen living in the neighbourhood to the effect that they were to be exempt from the tax. He believed these proceedings to be totally illegal; and he would appeal to the Committee not to pass the Vote until they had a distinct assurance from the Law Officers of the Crown and the Chief Secretary for Ireland that it was not illegal. He ventured to suggest that the Attorney General for Ireland, who was not quite sure on this point, should look into the Acts of Parliament, with the object of seeing whether the view taken by his right hon. Colleague was correct.

Mr. J. LOWTHER said, he was perfectly convinced that no change had been made at present which was not in absolute accordance with law. The Act of Parliament gave power to make exemptions.

Mr. SULLIVAN: Which Act?

Mr. J. LOWTHER: The Peace Preservation Act, and many other Acts.

Mr. SULLIVAN doubted whether the right hon. Gentleman could be serious in saying that this district was under the Peace Preservation Act. He denounced, as un-Constitutional, the action of the Government in exempting certain dwellers in the district from the payment of the tax. The right hon. Gentleman had spoken of the Peace Preservation Act, but that did not apply to the case at all; and then he spoke of the law of the land, which was a very wide phrase. He challenged the statements of the right hon. Gentleman as to the authority for what had been done. The Under Secretary, or the servant of the Under Secretary, might exempt anyone he chose—a friend from whom he had some shooting, or a lady at whose house he visited. The English people might think it useful to lay on an Irish county or barony a punishment tax when it was disturbed with crime, and tell us it was nothing else than a fine old Anglo-Saxon law, which it was not, but one introduced by a Danish King long ago to punish the inhabitants of this country who killed his followers. English gentlemen would find, from the present debate, an illustration of the approved way in which Ireland was governed. The hon. Baronet the Member for Finsbury (Sir Andrew Lusk) had complained of the time of the House being wasted; but it should be remembered that in voting this money they were dealing with the whole system of government in Ireland. The Irish people complained, through their Representatives, of this system, and said that the levying of this vengeance, or punishment, tax upon districts in Ireland was only intended to meet an exceptional state of things—that was to say, the result of outrage presumed to rest upon a system of agrarian conspiracy. But it was illegal to exempt favoured individuals or their tenants from the operation of the tax. He remembered that in 1875 the boundaries of a particular district were extended in the most capricious way, in order that political vengeance might be taken upon the family of George Henry Moore; and he challenged the right hon. Gentleman to name the particular Act of Parliament under which the proceedings complained of were authorized.

Mr. J. LOWTHER said, a good deal of energy had been spent unnecessarily on the matter. Assuming that the contention of the hon. and learned Gentleman was correct, that the exemption was contrary to law, it was scarcely necessary for him (Mr. Lowther) to give an assurance to the Committee that it would not be carried out, and that no course would be followed which was in any shape or form contrary to law. He, however, ventured to assert that it was strictly legal, and that those hon. Members who stated contrary opinions were labouring under a total misapprehension. The hon. and learned Gentleman had asked him for the Acts of Parliament which authorized what had been done. Their name was Legion. There were the Constabulary Acts, the Peace Preservation Acts, and also the general law of the land, under which the Irish Executive had to act; but to read every section of these Acts bearing on the case, although edifying to hon. Members, would, no doubt, be trifling with the time of the Committee.

MR. MITCHELL HENRY said, the right hon. Gentleman had enumerated the Constabulary Acts and others. Why did he not include amongst them the Vaccination Act? The power of levying the police tax was, he thought, acquired under the Peace Preservation Act; but, then, the Attorney General for Ireland had admitted that a district must be proclaimed before it could be levied therein, and the county or district in question had not been proclaimed, because there had been no agrarian outrage there. He also challenged the right hon. Gentleman to show the authority which the Government had for levying this tax, and for exempting certain persons from its operation; and, unless he could do that, he thought the matter ought not to be considered at an end. It was not sufficient to say that nothing illegal should be done. He and his hon. Friends had shown that something illegal had been done. It was certainly illegal if these Acts had been done under the Peace Preservation Act, because the county had not been proclaimed. If the right hon. Gentleman would assure the Committee that the tax should not be levied until he had ascertained whether the facts were as he had stated, and that if the acts done or contemplated were not according to law he would make reparation, he thought the matter might be allowed to drop.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) begged to inform the hon. and learned Member for Louth (Mr. Sullivan) that the fact was, as he found on looking at the last Return presented to the House, that the County of Galway was proclaimed. [Mr. SULLIVAN asked the date of the Proclamation?] The date was the 25th of February, 1866. No doubt, the Proclamation might have been qualified since then. He was only dealing with the statement before him. The Notice was dated the 25th of February, 1879, and it was not probable that there was anything later. Assuming that the principal reason for this discussion arose on the question of exemptions, if he found that exemptions were not thoroughly in accordance with the Act of Parliament, he should be prepared to advise his right hon. Friend accordingly.

MAJOR NOLAN said, it was very impolitic to apply these taxes otherwise than in cases of agrarian disturbances, and the case in question was clearly not of that character. The question of exemptions could not be too much dwelt upon. The district was one very difficult to get at; and, in consequence of that, it required great watching on the part of the Government. He believed it to be the district in which, of all others in Ireland, injustice might be done from any carelessness of supervision on the part of the authorities, and it was, therefore, most necessary that attention should be directed to it. He had given the names of four or five proprietors who had been exempted; and not only were proprietors, but their tenants, exempted from the tax by the influence with the Government which the proprietors laid claim to. The Government, he thought, should have been prepared to give the Committee full and specific details of everything done in the district, and ought to have been able to deal with this matter at once, after the Question put by him a few days ago, instead of displaying complete ignorance upon the subject, and relying upon others for information.

MR. SULLIVAN felt confident that inquiry would be made as to the Peace Preservation Acts being applicable to the present case. But the point was the power, policy, or justice of the Government exempting individuals in a proclaimed district from the tax. Did Parliament ever believe, when it gave power to exempt certain districts, that such returns would be presented as

"District of Mrs. W——; District of Mr. ——?" The idea was absurd. A remark in a letter which he held in his hand illustrated the way in which the matter was worked by the Government officials, it ran thus—

> "I am just informed that the small patch of property purchased by Mr. Jones has been also left out."

That showed the way the cat jumped.

Mr. O'SHAUGHNESSY, after the explanation of the Government, recommended his hon. Friend to withdraw his Motion.

Mr. O'CONNOR POWER wished to say, before the Amendment was withdrawn, that a great many of the mistakes that had occurred in Irish legislation arose from the readiness of English gentlemen sent over to Ireland occasionally to take charge of that country to rely too much upon the information sent in to the authorities. They generally lifted up their hands with horror, and cried for police protection at the slightest rumour, and the police being sent out into a district generally produced discontent. It was now suggested that the Motion should be withdrawn, because of the explanation that had been given; but the House had so often listened to those statements from the Treasury Bench that he thought they might be excused if they showed any want of confidence in them. So far as he was concerned, he would endeavour, so far as the Forms of the House would permit him, on every Motion to impress upon the Chief Secretary, and everybody connected with Ireland, the necessity of watching these police forces very carefully, and of allowing no excuse whatever to be urged as a reason for allowing the perpetration of illegal acts.

Mr. GRAY said, as the Chief Secretary had promised that these costs should be charged on the Imperial Exchequer, and not on the district, he certainly should not divide. At the same time, another and a more important question had now been raised—that of raising special rates in a district, and of creating one little district in the centre which was to be exempted. He trusted the Irish County Members would bring this subject forward, and divide on it. They had now the fact brought up that the County of Galway had been proclaimed 14 years ago. Everybody had forgotten about it; but it was allowed to lie in abeyance. It was not known even to the Attorney General for Ireland, or to the Chief Secretary for Ireland, until they went to a Return and discovered it. Such taxes as these would create a rebellion if they were attempted to be levied in England; and he hoped, therefore, that some explanation would be speedily given of this special exemption of certain persons from the operation of the taxes. If the electors would understand how these taxes were levied in Ireland, they would know how it was that the Irish people were discontented, while the English people were contented. He begged to withdraw his Amendment.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Major NOLAN did not think they had had at all a satisfactory explanation from the Chief Secretary, and that, therefore, he was justified in moving a reduction of the whole Vote. He contended that where there were no cases of agrarianism the expense of extra police ought not to be borne by a particular district, and ought to be charged on the Imperial Exchequer. The Government ought to be content with punishing the people in the ordinary way, and ought not to put on these special taxes. This was a very poor district, and the taxes would be levied almost exclusively on the tenants, who were certainly not extremely well off. Not only was the tax objected to, but they had had no satisfactory answer from the Government, and he certainly thought he was justified in moving to reduce this Vote by £500. The first reason was, that he did not think that this Act was intended to apply to cases of this kind; and, secondly, because he thought it most unfair that one parish should be taxed higher than another, and that certain individuals should be exempted. If there were disturbances, he did not much object to sending police into the district; but he knew that in this particular district the Government encountered very trifling difficulties, and that, as a general rule, there was very little difficulty in maintaining law and order. Although it was a very rocky and indented coast, and there might be trouble with smugglers, there was no difficulty in the collection of the Revenue, and the prevention of smuggling. If, therefore, occasionally—once in 10 or 15 years—they were put to a little extra trouble, therefore he thought they might charge the extra cost on the Imperial Exchequer, and not on two poor parishes. As a rule, they maintained very few police, as the first time they were called upon to go to some pains they had immediately charged the district. It seemed to him there was very great favouritism at work; and as this district, from the bad laws, was very poorly represented, and as, further, he had the honour of sitting for the county, he thought he must stand up for them, and press this to a Division. He moved the reduction of the Vote by £400.

Motion made, and Question proposed,

"That a sum, not exceeding £821,792, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Constabulary Force in Ireland."—(*Major Nolan.*)

MR. SULLIVAN hoped the Government would extend the satisfactory promise they had already given in regard to the Skerries case. If the Chief Secretary would look into this matter, and give it his personal and individual attention, and ascertain how it was that certain persons were thus unfairly exempted, he thought they need not divide.

MR. J. LOWTHER said, he certainly would attend to the matter; and, of course, if he found that the complaints of the hon. and gallant Member were justified, he would attend to them.

MR. BIGGAR complained that the law was not carried out in the spirit as well as in the letter. It was exceedingly unfair that the Government should have power to make a district—not larger than that Table—and to exempt it from the operation of a general tax. He thought particular individuals had been very unfairly treated, and that substantial justice should be done.

Question put.

The Committee *divided*:—Ayes 27; Noes 162: Majority 135.—(Div. List, No. 189.)

Original Question again proposed.

MR. CALLAN moved to reduce the Vote by £25,350, complaining that the extra charge for the extra police force was levied on the county cess; and as the county cess was levied exclusively on the occupiers and tenants in the county the expenditure fell on one class. He objected to this on principle, and, therefore, he moved to reduce the Vote.

Motion made, and Question proposed,

"That a sum, not exceeding £796,842, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Constabulary Force in Ireland."—(*Mr. Callan.*)

MR. BIGGAR supported the Motion, and declared the principle on which the expenses were paid for extra police was ridiculous. He hoped, unless some promise was given that an attempt would be made to remedy the grievance, his hon. Friend would divide the Committee.

MR. GRAY said, that what was complained of was that the nominal force was not kept up to the number for which taxes were levied. For instance, a county was assessed for 100 men, but only 80 were sent. On coming to examine the Estimates, it was found that there was a reduction of 230 men as compared with last year. The Attorney General for Ireland had explained to them that the quota for each district was fixed once in five years, and that it had been fixed two and a-half years ago; therefore, they found, although £25,000 were now levied on the districts in aid of the Imperial Exchequer, according to the present Estimates, the number of men had been reduced by 250. If that reduction were allowed for, there would be a reduction of £23,000, or more. They had been told that this system was indefensible, and that the Government would re-consider it, with a view to re-adjustment; but when they came to look into the Estimates they found, though the number of men was reduced, there was no reduction in the Vote—that, on the contrary, the Government asked for a larger sum. That was not a satisfactory state of things. It was acknowledged, at the end of four years, that the system was indefensible; and now they were asked to pass Estimates which would render the system worse than it was before. They reduced the number of men by 230, while the quota for each district would remain unchanged. He thought they must divide against so extraordinary a state of things.

Mr. J. LOWTHER said, he had endeavoured, early in the evening, to reply to statements very much the same as those made by the hon. Member. He stated then that it was his opinion that the numbers ought to be made up. It must be borne in mind that the cost of the maintenance of the force fell upon Imperial sources of taxation, and not in any way upon local rates. The allocation of men to each county was a matter of administrative detail, and it was wholly immaterial to the case. He really hoped hon. Gentlemen would not divide the Committee on the question at that hour. He would look into the matter.

Mr. GRAY said, it was a matter of very great importance, and he should like it put straight. The right hon. and learned Gentleman the Attorney General for Ireland said the quota was arranged once in every five years, and that it had been arranged two and a-half years ago; therefore, that it was not about to be changed at present. Now, however, he found the number of men reduced by 230; and he said they could not bring them up in the face of these Estimates. The right hon. Gentleman must know that it was not in his (Mr. Gray's) power to propose an increase in a Vote; but the right hon. Gentleman the Chief Secretary could.

Sir HENRY SELWIN-IBBETSON thought the objection of the hon. Member was that each county should have its proper number of men, and that the county should not be subject to additional charge for the extra men brought into it. The Chief Secretary had admitted the force of the objection; and he was prepared to look into the question, and set it right. The question of the quota being arranged in five years had nothing to do with the point. The Chief Secretary might, if necessary, bring in a Supplementary Estimate; but it would not be proper that the right hon. Gentleman, at that moment, should enter into any undertaking. If he saw that it was right to increase the cost, he would, naturally, come to the House for a Supplementary Estimate for the additional pay of these additional constables.

Mr. GRAY hoped the hon. Member for Dundalk would not divide the Committee after the statement of the Chief Secretary, supplemented by the statement of the Financial Secretary, who had promised that, if necessary, a Supplementary Vote would be introduced.

Mr. CALLAN said, in consequence of the statements which had been made, he should not proceed. He did not use the word in an offensive sense; but his impression was that this was a Treasury fraud on the ratepayers. He would withdraw his Amendment.

Motion, by leave, *withdrawn.*

Mr. O'DONNELL wished to draw the attention of the Chief Secretary for Ireland to the strange manner in which the Constabulary proceeded to perform their duties in connection with displays and recent outrages in Derry. He asked a Question before in the House on the subject; and, through no fault of the right hon. Gentleman, he presumed, he received a most unsatisfactory answer. He would now ask the attention of the Committee for a few minutes while he referred to the facts. The facts were of a most unpleasant nature, and cast a most disagreeable light on the justice, and on the method of detecting crime, in Ireland under certain circumstances. He was afraid he could only bring the matter forward when the Constabulary Vote was under discussion. Here, in a few words, were the outlines of the case. When, on the 17th or 18th of March, 1878, a procession, almost exclusively composed of Catholics, was going round the walls of Derry, celebrating the national anniversary, some miscreants opposed to this procession had recourse to the diabolical device of placing an infernal machine close to the route of the procession—in the grave-yard by which the procession had to pass—and only for the fact that the infernal machine was discovered the most terrible consequences might have resulted. [The hon. Member then related the circumstances attending a similar outrage in 1879; but the details did not reach the Gallery.] He confessed, looking at the events of 1878 and 1879, he did not know the feelings with which Catholics looked forward in that part of Ireland to the 17th of March, 1880. For the discovery of the perpetrators of the horrible outrages in Derry, which might have scattered death broadcast, the paltry reward of £50 was offered. No special plea would persuade the Committee that the offer of a reward of £50 was commensurate with the gravity of the offence. This infernal machine might, as he had said, have scattered death in its most horrible forms in the ranks of peaceable citizens. Just imagine an infernal machine thrown into a *soirée* in an English town, and fancy this being done for two succeeding years! Would the English local authorities act in the same way as the authorities acted in the case of the Derry outrages? The hon. and learned Gentleman the Member for Louth (Mr. Sullivan) had already called attention to the case in County Armagh. The conviction was forced upon them that the police and the Government authorities did not show the same zeal in the prosecution of crime or in its detection when committed against Catholics that they showed when it was committed against Protestants. He did not join the vulgar cry against Orange celebrations. He believed that Orangemen had a perfect right to those celebrations. Indeed, there were many points in them which he considered most laudable. As far as they recalled the facts of the great Constitutional struggle of 1688 he was with them; and he should always be happy to join his Orange fellow-countrymen in celebrating the expulsion of James II., and the placing of William III. upon the Throne of these Islands. But, apart from this aspect of these celebrations, there was a murderous sectarian element which—he did not care whether it emanated from Catholic or Protestant—ought to be suppressed with the whole force of the law. The throwing of infernal machines into peaceable assemblies, among innocent women and children, was a proceeding which ought to be rigorously and strenuously followed up by the law, no matter whether Catholics or Protestants were the subjects of such an outrage. In Derry there was a feeling very nearly akin to terrorism. It was perfectly notorious that in Derry there were complaints, year after year, of murderous outrages, and that the people who were subjected to them walked about the place undetected, and without any serious concern on the part of the authorities, while the miserable rewards of £50 which were offered did not show that the police authorities were at all alive to the enormity of such outrages. He felt, even at that late hour, that he was justified in asking for some assurance from the Representatives of the Irish Government that some measures should be taken to find out who were the murderous assassins in Derry. He had received private letters, while others had been published in such papers as *The Freeman's Journal*, expressing the belief that if only the police authorities chose to exert themselves they could lay their hands on those from whom these murderous outrages had proceeded. But to inquire into these matters might, perhaps, involve more exposure than was agreeable. These were the considerations which bound the hands of a conscientious Executive. The Catholics of the North of Ireland would not—could not—be persuaded that the detective agencies of the law were being used with impartiality and fairness so long as outrages like those in Armagh, which resulted in the assassination of poor Carberry and the stabbing of the little boy who refused to curse the Pope, went unpunished. He was informed that the suspicions as to who were the authors of these outrages were very definite; but, of course, so long as there was no reward greater than the trifling sum of £50 offered, so long would the detection of these horrible criminals remain a dead letter. Not only the Catholics of Derry, but the Catholics all over Ireland, would feel that they were not fairly treated, so long as these criminals were allowed to walk about without anything like concern on the part of Her Majesty's Government.

MR. GRAY said, this matter was one of very considerable importance; and he did not think, even at this advanced period of the Session, the Irish Members would have been doing their duty had they not called their attention to it. The real and serious portion of this question was, that the perpetrators of this terrible outrage would, undoubtedly, have been discovered, if only proper exertions had been made. The person who was suspected had been mentioned to him by name, and he had letters showing that he was well known in the locality where the offence was committed. Had such an outrage occurred in England, the Government would certainly not have been content with what had been done in this case. A similar outrage was perpetrated two or three years since, and it spoke badly for the police that they had been unable to bring any person to justice. The real and grave portion of this matter was that the Government had not made sufficient exertion to discover the criminal. He thought that time had not been wasted in drawing attention to it.

Mr. J. LOWTHER said, he could assure the hon. Gentleman that if he would only send to the proper quarter any information which would justify the authorities in taking steps for a prosecution, they would certainly do it. As regarded the general question of undetected crime, he would point out that this was unfortunately by no means uncommon in Ireland; and as to the amount of rewards, he was afraid there were many cases in which no reward which could be offered would result in the detection of the criminal. The hon. Gentleman could no doubt recall to mind a case in which a reward of £1,000 was offered, and in which there was yet no detection. He did not think that a mere increase in the reward would have the effect which the hon. Member had indicated of a certain discovery of the perpetrators of a crime.

Mr. BIGGAR said, he had not previously heard so much of the case as he had heard that evening; but it appeared that two important conclusions were to be drawn from the discussion. One was, that a very moderate reward had been offered by the Government; and the other that the police had made no arrests. That was the way in which the police performed their duty in regard to a number of men who were Roman Catholics. On the other hand, an outrage took place some time ago in the County Donegal, in which Lord Leitrim, two men, and a horse, were shot. What did the Government do on that occasion? They immediately took three men into custody, one of whom was, indeed, already in prison. Notwithstanding every inquiry which was made, no evidence whatever could be found against these men. Large rewards were offered, and every inducement held out to induce men to swear falsely; but, in spite of all, no evidence was forthcoming which could be brought before a Grand Jury. In this case, justice was not administered in an even-handed and impartial manner. He thought that was one reason why people were dissatisfied with matters as they stood. They thought that justice was not fairly administered, and that even-handed fair play was not dealt out to all parties alike. He did not think that party processions ought to be done away with—they were one of the modes of the expression of public opinion; and, if peacefully conducted and originated, he quite agreed they were entitled to the protection of the Government. His contention was, that a procession, no matter what party it represented, should be allowed to proceed, so long as it did not interfere with any other party.

Original Question put, and *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £111,661, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Expense of the Superintendence of Prisons, and of the Maintenance of Prisoners in Prisons in Ireland, and of the Registration of Habitual Criminals."

Major NOLAN said, he wished to ask a question in regard to the prison of the borough of Galway. There were a great many public works which might be carried out in the neighbourhood of that town by convict labour. It would be most advisable to complete the harbour, and connect it with the main land; and he believed that that was a work to which convict labour was admirably adapted. A convict prison might very well be established in the borough, for there was now a very good prison which could easily be turned to account for the reception of convicts. He should be obliged to the Chief Secretary for Ireland if he could give him an assurance that, at no distant date, a convict establishment would be established there.

Mr. J. LOWTHER said, the question to which the hon. and gallant Gentleman referred had been, for some time past, under the consideration of the Government. A recommendation was made, some time ago, that the convict establishment at Spike Island should be abandoned in favour of Galway; and, in connection with that plan, some harbour works had been projected at Galway. The Admiralty had been requested to send down an officer to inspect and report upon the formation of a harbour. Other arrangements were also in progress; and he hoped, before long, the Government would be in a position to take definite action in the matter.

MR. ERRINGTON moved the reduction of the Vote by the sum of £1,200, the salary of the President of the Prison Commissioners, in order, he said, to call attention to some of the results which had followed the re-organization set on foot by the Prisons Act. It would be in the recollection of the Committee that one of the results of the Act passed two years ago was that the salaries, service, and duties of the various prison officials were entirely reorganized. The Act itself was received with the greatest satisfaction on the part of the officials; but he was sorry to say that the manner in which it had been carried out had caused the most extraordinary and widespread dissatisfaction. He had not the smallest personal knowledge of any member of the Prisons Board, or of its Chairman; but he was compelled to move the reduction of the Vote by the salary of the Chairman, in order to bring the matter under the attention of the Committee. Complaints had been made by various classes of prison officials; but the class whose case he wished specially to bring before the Committee was that of the prison surgeons. Theirs was a very hard case. It was one of great complication, and he could hardly weary the Committee with full details at that hour. He would, however, mention that their position was so far peculiar that in most, if not all, of the counties in Ireland there were infirmaries, and the medical officer of the infirmary was appointed to the gaol, and he was compelled to do the work of the gaol without any extra salary. He must, however, say that the prison work was very light, and not of an onerous kind. This duty of attending the prison, however, was always recognized to be a great hardship; and it was hoped that when the Prison Act was passed the medical officers would receive some recognition of their services. The Prison Act provided, among other things, that every official should retain the office he held in the prison at the time of the passing of the Act, and that he should retain it at such salary as he was receiving when the Act was passed. But what was the way in which the Prisons Board in Ireland set to work to bring the Act into operation? For a considerable number of months no step at all was taken in regard to these officers; but, after a certain amount of pressure, the attention of the Board was called to the circumstance, and they issued a Circular, dated the 3rd of May last, in which, in the most summary manner, they dismissed from their posts every one of these officers. This high-handed proceeding was received with indignation and astonishment by a very deserving class of public officers; and, after a good deal had been said, the Board announced their intention to re-appoint all those gentlemen who had been thus summarily dismissed. But he thought, even if it was the intention to re-appoint them, this was not the way to have proceeded, even if such a course was legal. There were, however, grave doubts as to how far the Prisons Board had been fairly advised on this matter, and the attention of the Law Officers was drawn to it. He was bound to say that his right hon. and learned Friend the Attorney General for Ireland, with his usual courtesy and promptness, looked into this question, and the result was that the Circular was partly withdrawn, and these officers were recognized as prison officials. There was a certain difference in English and Irish gaols between the duties of these officers. In English gaols a great many of the officers were general practitioners, and were in the habit of compounding the medicines as well as prescribing. That was not the case in Ireland; and the medical men had always been a separate class of men from those who were the compounders in the various gaols. The Prisons Board thought that they could amalgamate those two offices. There was a provision in the Prison Act compelling the prison officers to do analogous work, and the Prisons Board had chosen to say that the prescribing and compounding of medicines was analogous work. In the end, however, that offensive and high-handed Circular had to be withdrawn. For it another was substituted, in which the surgeons were recognized as prison officials; and the Prisons Board announced that they were prepared to pay them a certain salary, if only they were willing to undertake these so-called analogous duties. He thought they had good ground of complaint as to being called upon to perform these analogous duties at all; but even supposing the Board had a right to call upon them to do it, the scale of pay was perfectly absurd. He had no desire to go into the full details of this question, which would involve a certain amount of calculation as to the connection between their infirmary and their prison duties; but he thought anyone who considered the question fairly would see that the proposal made was perfectly extraordinary. The salaries were fixed at an altogether different figure to what they were at before. The duties originally were of an exceedingly light and unimportant character. He was quite sure it was to the advantage of the Public Service, as well as to the gaols, that these should be performed in a more complete and efficient manner. The duty of the prison surgeon under the old system did not exceed a single visit a-day; but now his time was almost entirely occupied, and for this he was offered only from £60 to £80 a-year—even in first-class counties an offer had been made of not more than £60. Under these circumstances, he ventured to say that he could not help hoping that the right hon. and learned Gentleman would be able to give the Committee some statement that the matter would be considered by the Government. It would be a most unfortunate thing if this new *régime* was to be inaugurated by an attempt to re-model the Public Service in a manner which could only produce discontent and dissatisfaction.

Motion made, and Question proposed,

"That a sum, not exceeding £110,461, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Expense of the Superintendence of Prisons, and of the Maintenance of Prisoners in Prisons in Ireland, and of the Registration of Habitual Criminals."—(*Mr. Errington.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, he thought the statement of a few facts would enable the Committee to arrive at a conclusion on this matter. The Chairman of the Prisons Board had only fairly and reasonably administered an Act of Parliament. The position of the prison doctors before the Act was passed certainly could not be stated very clearly, neither could it be regarded as very satisfactory. They did not get one farthing for the work they did in the prisons. They were, in reality, the infirmary surgeons of the district, and, as such, they were compelled, without fee or reward, to do duty at the neighbouring prison. When, however, the new Prison Act came into operation, what was said was—"We are going now to establish a new system, and we offer you the position of attending the prisons, and we leave you in possession of the salary which you had before as infirmary doctor." Thus they were left with the same salary as infirmary doctors; but they were relieved from the obligation of attending the prisons. So far, then, it might be said it might be said it was a decided gain to the doctors. There was a provision in the Act that the officers of the prisons were to continue to discharge their duties till the 1st of April, 1878; and after that date these doctors, who were also infirmary officers, were permitted to continue the duty in the gaols after the day fixed by the Act of Parliament. The first Circular which was issued, and which had been referred to by his hon. Friend the Member for Longford, dealt only with the legal aspect of these infirmary surgeons. Reference had been made to his view of the case; but his view was only one as to the construction of the law. He thought that as the infirmary doctors had been allowed to continue in office after the day fixed by the Act of Parliament it was reasonable to regard them, technically, as prison officers, and that they should not be subjected to the necessity of a fresh appointment, especially as they had continued to fulfil the duties without complaint. No complaint, that he could see, could be urged against the Prisons Board. The second Circular was then issued; and, so far as the position of these officers was concerned, they were, he ventured to think, even after the statement of his hon. Friend, without any substantial grievance, for they were by it considered to be prison officials, and so that they could not have been subjected to any fresh selection and the consequent risk of rejection. That, however, was a point which he believed had been conceded by the hon. Member for Longford. Then it was stated that the medical officers considered as a grievance the duty which had been put upon them of compounding the medicines. He did not think, however, that that part of the case had been fairly stated. The alternative was given them of doing the work themselves, and of making other arrangements in regard to it; and he could not see that that was not a perfectly reasonable way of dealing with them. What, then, was the position of these gentlemen? To the position of infirmary surgeons they were now given the status of prison officials, with all the rights and privileges which he supposed they valued, of being surgeons to these gaols. In regard, however, to this duty of compounding medicines, the practice was somewhat different in Ireland to that in England and elsewhere, and that the rule had hitherto been that they did not compound their own medicines. He believed, however, that the vast majority of the prison doctors had now agreed to compound their medicines; but in the case of those who did not desire to do so the Commissioners were willing to make an arrangement on a different scale. As to the question of salary, they had been fixed at various sums, ranging from £40 to £150 a-year; and in considering this they must, of course, take the work done and the average of the prisoners in the different gaols. This was only 77 in all; and, of course, in many of them it was much less. Therefore, he thought it was quite reasonable that these should be fixed on a running scale, which could be adjusted according to circumstances. He hoped it would be seen that the Prisons Board had not dealt with this deserving class of public officials in at all a harsh or high-handed way, and that the Board had only dealt justly and fairly between them and the public. He hoped his hon. Friend would not consider it necessary to press his Motion to a Division.

MR. MELDON was of opinion that the Prisons Board had dealt with the medical officers in Ireland in an exceedingly high-handed manner. Taking the very first Circular issued by the Chairman of the Prisons Board, he thought that the animus with which the medical officers were treated was apparent. The Circular was dated the 23rd of April, 1878, and was addressed, not to the medical men, but to the Governors of the gaols, many of whom had risen from the position of warders, and none of whom were in a better social position than the medical men themselves. The Circular said—

> "Sir,—I have to request that you will call the special attention of the medical officers of your gaol to the 43rd clause of the Prisons Act, and direct their attention to its requirements."

That was the Circular which ought to have been addressed to the medical officers themselves, but which was addressed to the Governors of the gaols. The Circular then said—

> "You will also take care to report to this Board any omission on the part of the surgeons to carry out the provisions of the Statute referred to."

From that the Committee could judge of the insulting way in which the surgeons of the gaols in Ireland had been treated. By the provisions of the Prisons Act of 1877, there were two classes of surgeons —namely, the surgeons of gaols and the surgeons of county infirmaries. But in case the gaols were within two miles of the county infirmaries, then the surgeons of the infirmaries were obliged to give their services to the gaols. If there were no infirmaries within two miles of the gaols, then he supposed that separate medical officers would be appointed to the gaols, and the duties which the surgeons of county infirmaries would have to discharge would be merely nominal. Formerly, the duties of the prison surgeons were exceedingly small; and he would call particular attention to the change that had been made in that respect. The medical officers, at the present time, were required to inspect every prisoner within 24 hours of his arrival at the gaol; they were also required to inspect every prisoner once a-week, and to examine into all sanitary details connected with the prison. Medical officers were further required to make a periodical inspection of the whole gaol, whether occupied or not; they had also to see whether any prisoner sentenced to punishment was fit to undergo it; and, in addition to these duties, they had recently had thrown upon them duties formerly carried out by the chaplains of the gaols. In point of fact, nearly constant attendance was required now from the surgeons of the gaols. If their duties were to be properly discharged, the medical men ought to do nothing else but attend to the work of the gaol. By a Circular of the 3rd of May, 1879, addressed to the surgeons of the county infirmaries, it was stated that the Lord Lieutenant had directed that all the surgeons should be superseded, and that their positions should become vacant. The Circular went on to say that the present occupants of the offices might submit applications for continuing in their posts. In his opinion, that Circular was in defiance of law, and there was no right to interfere with a single medical officer in Ireland. With one exception, all these medical officers had been appointed by the Grand Juries in Ireland, and there was no right under the Act of 1877 to supersede them. What had been done? The first Circular, to which he had already referred, was addressed to the Governors of gaols, and in that Circular the Governors of gaols were directed to call the attention of the medical men to the provisions of the Act. He should contend, most strongly, that that Circular ought to have been addressed directly to the surgeons of the gaols, and should not have been addressed to the Governors. The Circular assumed that there was some intention on the part of the medical men not to discharge their duties properly. Both Circulars were very sweeping, and by the latter they were dismissed, and were only told that they were at liberty to answer the advertisement. The Act of Parliament of 1877 provided that the scale of remuneration should not be less than they had actually been receiving. But as the duties of the surgeons of the gaols had been largely increased, it was only right that some additional remuneration should be given to them. Instead of giving them additional remuneration, the additional duty was thrown upon them of compounding medicines. In one case with which he was acquainted, the medical officer was paid £60 a-year. That was, perhaps, fair payment for the work formerly done; but the work was not one-tenth then of what it now was. In that prison there were sometimes nearly 1,000 prisoners, and the work connected with them must necessarily be very heavy. In 1878, that gentleman was recommended for an increase of pay; but, owing to the state of the law, when his case was considered by the Grand Jury, a decision was come to with great reluctance that it was not in their power to increase his salary; but they hoped that by an amendment of the law he might get his salary increased. It was now proposed to throw upon that gentleman many additional duties, and amongst them that of compounding medicines, without giving him any further salary. To make this matter clear to the Committee, he must explain that in Ireland members of the College of Surgeons and of the College of Physicians were not allowed to compound medicines. If, therefore, it was provided that these medical officers should compound medicines, a Fellow of either College would be excluded from taking office under Government. The Colleges of Physicians and Surgeons had passed a resolution against this rule. He would call particular attention to the rule of the Prisons Board, by which the surgeons were told that if they compounded medicines they would get more salary, and if they refused to do so they would get less. In a Circular addressed to the medical officers, they were informed by the Prisons Board that the Lords Commissioners of the Treasury had sanctioned a certain additional payment to them on condition that they compounded medicines for the use of the prisoners under their supervision. That Circular was also issued in direct defiance of an Act of Parliament. In his opinion, the Board had no power to abolish apothecaries, all of whom were appointed under an Act of Parliament. A more unfair Circular, and one more unjustifiable in point of law, and more unfair to a deserving class of men like the medical officers of gaols, than that to which he had drawn attention, could not have been issued. The Board had dealt unfairly with the medical officers with regard to two points. The duties were made extremely onerous, while the remuneration was utterly inadequate to what it ought to be. But more than that, there had been all through the matter a most decided inclination on the part of the Prisons Board to deal with the medical men in a high-handed manner. It was not right that the medical officers of gaols should be treated in that way. If it had been necessary to mention unpleasant facts to them, the least that could have been expected from a man in the receipt of a large public stipend, like the Chairman of the Prisons Board, was to have treated the medical men in a fair and proper manner. But the medical men felt that, on the contrary, from the very first they had been dealt with by that gentleman in a high-handed manner, and for these reasons he should support the reduction of the Vote.

Mr. BRUEN said, that the action of the Prisons Board had created great alarm throughout the officers of all the gaols in Ireland, and he must say that that alarm was well-founded. The medical officers of the prisons were a body of men of skilled ability, and well-fitted for their position. He did not suppose that even if the Government had dismissed them they would have been able to have replaced them properly. The animus and intention of the Prisons Board towards those gentlemen was evidenced by the manner in which they were summarily dismissed. They were invited, it was true, to seek for re-appointment at such a salary as the Prisons Board chose. The Circular, in which that insulting proposal was made to the medical officers, had, however, been withdrawn, and another was to be issued. He had sought to obtain from his right hon. Friend what the nature of that Circular would be. It had not yet been laid before hon. Members; and he thought that the Committee was in some difficulty in discussing the question without having it before them, and knowing exactly what treatment the prison surgeons had received. A copy of a Circular had been handed to him by a surgeon of one of the small gaols, and it was pointed out that by the Circular that gentleman was offered a salary of £40 a-year. He would like to ask the Committee whether, if they were establishing a new office and seeking for candidates, they thought that they would obtain a properly qualified and skilful man to perform the duties at £40 a-year? It should be remembered that those duties involved very great responsibility. It was said that the duties now cast upon the medical men were analogous to those which they performed before. He must offer his adhesion to the opinion on the other side, to the effect that the duties, although analogous, had been greatly increased. Formerly, one of the duties of the prison chaplains was to see to the diet of the prisoners; but that duty had now been transferred to the medical officers. They had to see that the diet was of proper quantity, and of proper quality. Another duty that had been cast upon them was that of inspecting the sanitary condition of the prisons, and looking to all the sanitary arrangements. Then came the question of compounding medicines, and that was an entirely new duty, as was admitted on all hands; and it was well worth the attention of the Committee to consider whether or not that duty ought to be thrown upon the medical officers. A Memorial had been addressed to his Grace the Lord Lieutenant by the President and Fellows of the College of Physicians in Ireland. The Memorial stated that they were of opinion that it would lower the status of the medical officers if they were compelled to compound medicines, and they thought it would deter candidates of a high professional character from seeking the appointments. The Memorialists also thought that it was desirable that there should be in prisons certain officers, through whose hands all prescriptions should pass, in order that, in the event of accident, the public should be satisfied. He concurred that it was necessary, for the good management of prisons, that in cases of that kind there should be evidence forthcoming that all proper attention had been given to the compounding of medicines. The Memorial went on to say that there ought to be a properly-qualified prescriber in the prisons. He might inform the Committee that before the Prisons Act there were apothecaries attached to the prisons, and by the terms of the Act those officers still retained their functions, and were now in the enjoyment of their salaries. The Prisons Act said that the officers attached to prisons should hold office as if the Act had not passed. By the arrangements which were now made, they would have the prison apothecaries getting their salaries and having nothing to do. It might be a fair subject for consideration whether, on the lapse by death or otherwise of the present holders of those offices, they should be continued; but while the present holders were living he could not see why they should not perform their duties. He hoped that the Government would take this matter into their most earnest consideration. It would not be disputed that the majority of the medical officers in gaols in Ireland were gentlemen of high standing in their own respective districts; and it could not be said that £40 a-year was an adequate salary for duties that required daily attendance—£60, or even £80, would hardly be an adequate remuneration—but £40 a-year was ridiculously low. It ought not to be the object of the Government to drive men away from their positions who were so thoroughly qualified to fill them as the present medical officers in Ireland. It was said that if, in the Public Service, they could obtain doctors for low salaries, why should the public not be benefited by that reduction of expense? He did not think that that was a fair principle to go upon in the management of prisons; and he thought that the prisoners were entitled to have the medical attendance of well-qualified and skilful officers, and not of men of the lowest class in their Profession. If the Prisons Board wished to drive away the present holders of the office, and to throw the appointments open to all comers, then he did not think that they would get proper men at such salaries as they now offered. He trusted that the Government would take these circumstances into their consideration, and that it would issue directions to the Prisons Board to prevent the practices complained of.

Mr. O'SHAUGHNESSY remarked, that the present medical officers of gaols in Ireland were not young men; and there could be no doubt that the fees which were paid to them by the Prisons Board were utterly inadequate. With regard to the question as to compelling the surgeons to compound medicines, he understood the case to be that the State must supply the prisons with medicines. It seemed to him that it would be easy to make a contract with an apothecary in the town who would supply the prisons at a much lower rate than was done under the present system. He thought that all the salaries paid in Irish gaols were inadequate. The governors received, most of them, from £100 to £150 a-year; but some were to rise to £300. He trusted that the whole question would be looked into by the Government, and that the salaries paid would be increased.

Mr. JUSTIN M'CARTHY wished to bear his testimony to the high character and efficiency of the medical officers of gaols in Ireland. Their duties had recently been much increased; but they were still paid by salaries which were insufficient, even under the former arrangements. He did hope that the Government would take the matter into consideration, and would fix the salaries of these gentlemen upon a basis more fair and just to such deserving members of the Public Service.

Mr. MACARTNEY also trusted that the Government would do justice to the medical officers.

Mr. ERRINGTON said, that he would be willing to withdraw his Amendment, if an assurance were given by the Government. He thought that the assurance of the right hon. and learned Gentleman the Attorney General for Ireland would hardly satisfy the medical officers of the gaols.

Mr. GRAY moved that Progress be reported. They had already been discussing the Estimates for eight hours and a-half, and he thought it was now time to adjourn. The Votes upon which they were engaged were of importance to the Irish people, and they ought not to be decided hastily.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Gray.*)

Mr. J. LOWTHER said, that as regarded the general question of the position of the surgeons of the gaols in Ireland, he might say that he was at that moment in communication with the Prisons Board on the subject. With regard to the proposal to report Progress, it was true that the Committee had been eight or nine hours in Supply; but he must remind hon. Members that they had only passed one single Vote. They were then at a period of the Session when it must be manifest to the Committee that the deliberations of the House would have to be protracted to a much longer period than usual if they made no greater progress than they had already done. He must, therefore, ask the assistance of the Committee in disposing of the work before them; for unless the work was done it would be utterly idle for the Government to attempt to carry on the affairs of the country.

Mr. SULLIVAN thought that they had made considerable progress that night. They had already disposed of £1,000,000 on account of the Irish Constabulary. No one who knew anything of Irish affairs could doubt that that Vote covered the whole government of Ireland. It might seem strange to English Gentlemen, unacquainted with the system in Ireland, that a Vote of that kind was so important a matter. But Irish Members had really been discussing practical topics connected with all kinds of subjects affecting the government of Ireland. The Committee had voted £1,000,000 that night, and he hoped that the Government would see that it would be a reasonable thing now to report Progress. Hon. Members who had made no contributions to the debate, and had rendered no assistance to Public Business, except in the Smoke-Room and Tea-Room, might not see the desirability of now reporting Progress. He cast no reproach upon such hon. Members; but he appealed to them to consider those who had been engaged in the work of the Committee.

MR. PLUNKET said, that the case of the prison surgeons was one in which he had taken considerable interest, and he quite agreed with all that had been said as to their position and character. He also agreed, to a great extent, with the claims put forward on their behalf. A great many of their grievances, however, were in a fair way of redress. To-morrow, a deputation would wait upon the Chief Secretary, in order to discuss those grievances, and the Chief Secretary had told them that he was in communication with the Prisons Board on the subject. If the answer of the Chief Secretary to the complaints of the medical officers was unsatisfactory, then he should be inclined to support his hon. Friend in again urging the claims of this useful body of public servants; if the result was unsatisfactory, he would support not only his hon. Friend, but anyone else who might take up their case. He should not, however, advise his hon. Friend, and those who advocated the case of the prison surgeons, to allow their case to be mixed up with the Motion for reporting Progress that evening. Nothing could more damage the case of the prison surgeons than to allow it to be mixed up in that Motion. They had been eight hours and a-half—he must say, deliberately—wasting the public time. Nothing could be more unfortunate, in the interest of those for whom he was sure his hon. Friend intended to do his best, than in any way to mix up their case in attempt to delay the progress of Public Business. He had not been in the House all the evening, although he had been there a considerable time; but he had only heard the same arguments repeated over and over again, in a manner the only object of which could be to waste public time.

MAJOR NOLAN said, that they had been reproached again that evening by an Irish Member. He would not have paid much attention to English Members; but he must draw attention to the fact that the Government had put forward a University Member, who did not represent the views of Ireland. The Universities did not represent the life of Ireland, nor did they represent Irishmen, or Irish opinion. Yet the Government had put forward to reproach them a Gentleman like the hon. and learned Member for Dublin University.

MR. GRAY said, that the hon. and learned Member for Dublin University had reproached them with obstructing the Business of the House. He remembered that for a considerable period of the evening there was not a single Member sitting on the Benches where the hon. and learned Gentleman now sat. He had had no intention of pressing the Motion to report Progress, if the Chief Secretary for Ireland had not acceded to it; but after the remarks of the hon. and learned Member for Dublin University he should persevere in the Motion. It now remained for the Members of Her Majesty's Government who had been present during the discussion either to adopt or repudiate the charge which had been made against Irish Members.

MR. VERNER had understood the hon. and learned Member for Dublin University to say that he deprecated the case of the doctors being mixed up with, and prejudiced by, any question of reporting Progress. He would join with his hon. and learned Friend in saying that it would be a very great mistake, and very damaging to the case brought before them, to allow it in any way to be mixed up in the proceedings for delaying the Business of the Committee. The hon. and learned Member had condemned the excessive amount of talk and waste of time throughout the Sitting, and it had been said that these remarks came from a Member who did not represent any section of the Irish people. It could not, however, be said that he (Mr. Verner) did not represent any section; and he begged, as an Irish Member representing an important constituency, to express his concurrence in the observations which had been made, for he had been present during nearly the whole evening, and at one part of it when the hon. Member for Tipperary (Mr. Gray) himself was not present.

Mr. SULLIVAN understood the hon. Member for County Armagh, who had just sat down, to join in the accusation that had been made against them of wasting public time. He might point out to the hon. Member that he was the only Member of the Committee who had been called to Order that evening. Therefore, according to the ruling of the Chair, he was the only Member who had wasted public time. He granted that he had been rivalled by the hon. Baronet the Member for Finsbury (Sir Andrew Lusk); but they were the only two Members who had taken up public time by wandering from the subject before the Committee. During the evening the hon. and learned Member for Dublin University had not made a single useful contribution to the discussion. Perhaps that was because the constituency he represented took an infinitesimal interest in the subjects under debate. He would point out that hon. Members who had been all the night in the House had taken great interest in the various points raised by the Vote for the Constabulary.

The CHAIRMAN pointed out to the hon. and learned Member that he would not be in Order, upon a Motion to report Progress, in reverting to the discussion of the preceding Vote.

Mr. SULLIVAN said, that the hon. and learned Member for Dublin University had referred to the discussions which had taken place, and he could not see how he could be out of Order if the hon. and learned Member had not been out of Order.

The CHAIRMAN said, he would point out the distinction between the two cases. If one hon. Member said that, in the course of Business, time had been wasted, that observation did not exceed the limits of discussion; but for another hon. Member to propose to resume the discussion that had been already disposed of by the Committee was out of Order.

Mr. SULLIVAN said, that he complained of the hon. and learned Member for Dublin University charging them with delaying the conduct of Public Business, for what they had done had been under the deepest sense of duty to their constituents. In his opinion, every hon. Member from Ireland who had taken part in the discussion had some substantial case behind him in the matter which he had brought forward. It seemed to him that the discussion had been eminently practical, and perfectly germane to the Vote under discussion.

The CHANCELLOR of the EXCHEQUER thought that if they wished to be practical they had better come to some decision as to the course they should take. The time of the Committee had been occupied for a long time that evening, and they had only passed one Vote, while they had, to a considerable extent, discussed a second. If the second Vote required more discussion, he was sure the Committee would be willing to make exertions to continue it and pass it. The Government would not attempt to press for any more Votes if the one before the Committee were passed. He thought, considering the time of the Session, and considering the amount of Business before them, that they should at least pass the second Vote. It would be well not to waste further time in deciding upon what they should do.

Mr. CALLAN said, that there had been one satisfactory result of the discussion they had had that evening. The hon. Member for Mayo (Mr. O'Connor Power) had given Notice of a Motion upon the question of the appointment to the Office of Chief Secretary of raw and inexperienced politicians. He thought that that evening they had received every courtesy and every attention that could be paid them by the right hon. Gentleman who now held the Office of Chief Secretary. His conduct had been a marked contrast to the ex-placeman and eager partizan who formerly occupied the Office of Chief Secretary.

Mr. O'CONNOR POWER thought that the Business of the Committee should not be measured by length, and that it was not a fair criterion of what they had done to say that they had only passed one Vote. The Vote they had passed had been of a considerable amount, and was of most vital interest to the people of Ireland. He did not think that a single moment of time had been wasted. If there was to be no further discussion, he trusted that the hon. Member for Tipperary would take a Division upon his Motion.

Mr. ERRINGTON wished to say that he did not see any reason why the question which he had raised should be mixed up with that of the adjournment of the Committee. He only wished to obtain an assurance from the Chief Secretary that the claims of the medical officers of the prisons in Ireland should be attended to. A deputation would wait upon the Chief Secretary to-morrow; and he thought it would be in the interests of the medical men themselves that he should ask permission of the Committee to withdraw his Amendment.

THE CHAIRMAN said, the hon. Member could not withdraw his Motion, until the Motion to report Progress had been disposed of.

MR. GRAY said, he intended to take a Division upon his Motion, as a most unjustifiable charge had been made by an hon. and learned Member upon the Government side of the House, and the Government, by their silence, had endorsed it.

MR. MELDON, having taken part in the proceedings of the Committee that evening, supposed that he was one of those charged with wasting time. He was not in the habit of wasting time, and he was deeply pained by hearing the observations made by his hon. and learned Friend. He could say that, during the whole of his Parliamentary experience, he had never heard a more interesting discussion than that which had taken place that evening. If he were allowed to refer to the proceedings of the Committee, he thought he could show that no time had been wasted.

MR. O'DONNELL said, that the Irish Members who had taken part in the discussion that evening represented the great majority of the people of Ireland. It was not the fault of the Irish Members that their small numbers were voted down; but he would point out that there was one infallible method of shortening the discussion. If the Government were to redress the grievances of the people of Ireland, as they might do, then they would at once be doing an act of justice and facilitating Public Business.

MR. MITCHELL HENRY thought that there had been no intention to protract the discussion that evening; and he did not think that it could be shown that more time had been spent in discussing the Votes than was absolutely necessary. The Vote which they were now discussing was a very important one, and he did not think that it would be possible to get through it that evening. It would be of no use to take Division after Division upon the question of reporting Progress.

MR. BIGGAR remarked, that they had only discussed one grievance upon the Vote now under consideration. When the subject of the prison surgeons had been finished there were several others to be gone into, and he did not see any chance of bring the matter to an end that evening.

MR. O'CONNOR POWER thought that they had arrived at an hour at which it would be reasonable to report Progress. He, for one, would exert to the utmost all the privileges which he possessed for preventing the discussion of questions of immense importance to Ireland at an hour when they would practically have to be discussed *in camera.*

Question put.

The Committee *divided:*—Ayes 20; Noes 99: Majority 79.—(Div. List, No. 190.)

MR. ERRINGTON begged to withdraw his Motion.

Motion, by leave, *withdrawn.*

MAJOR O'GORMAN moved that the Chairman do now leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Major O'Gorman.*)

MR. O'CONNOR POWER supported very cordially the Motion that the Chairman do now leave the Chair. The longer time the matter was protracted the stronger would be the opposition to it. It was felt by those who had really taken part in Public Business that it was now time when their proceedings should come to an end.

MR. GRAY said, that a charge of a most offensive character had been made against some hon. Members. They now invited Her Majesty's Government to say whether they supported that charge.

MR. PLUNKET said, that his observations were made without the slightest reference to anyone else, and the opinion which he expressed was entirely his own.

MR. J. LOWTHER said, that the hon. and learned Member for Dublin University had certainly expressed his views without reference to the Government; but he did not understand his hon. and learned Friend to make any personal charge, but only to express his opinion that their proceedings had been somewhat unduly protracted. He confessed that his own opinion was that if all the Votes were discussed at the same length as they had discussed the first one, it would be quite impossible to get through them all before the end of the Session. They had 60 Votes altogether to get through in the Civil Estimates, in addition to those remaining over from the Army and Navy. He wished, therefore, to put it to the Committee that they should allow the Prisons Vote to be passed, it having been already discussed for over two hours. Several important Irish Votes remained to be discussed, and the time at the disposal of the House might, at that period of the Session, be counted by minutes. The Government would not be justified in holding out to the Committee that they could provide time for the discussion of these Votes unless some progress was made. He trusted that the Committee would dispose of the Vote now under consideration.

Mr. MELDON said, that the Prisons Vote was really an important one. He would suggest that one or two Votes of minor importance should be taken, and that the discussion of the Prisons Vote should be postponed.

Mr. O'SHAUGHNESSY agreed with the suggestion of the hon. and learned Member for Kildare. He was satisfied that there was no foundation for the charge made against Irish Members of wasting time.

Mr. CALLAN did not think it became the hon. and learned Member for Dublin University, who had not been in the House a great part of the evening, to lecture Irish Members who had been there and had raised discussions on important subjects.

Sir WILLIAM HARCOURT really thought that enough had been said with regard to the observations of his hon. and learned Friend the Member for Dublin University. Whether those observations were judicious or not he was not prepared to say; but some hon. Members were naturally somewhat aggrieved by them. The object of all hon. Members ought to be to get through the Business upon which they were engaged.

He did not profess to understand the prisons of Ireland, although hon. Members below the Gangway might do so. There were a great many other important subjects to be discussed, and it would leave very little time at their disposal if they were, at that period of the Session, to cease work at half-past 2 in the morning. He, therefore, hoped that they would pass another Vote that evening.

Mr. SULLIVAN asked, whether they could not go on with the other Orders of the Day, instead of continuing the discussion upon the Estimates? If there was any one part of their proceedings as to which the Government should insure the fullest and freest discussion, it was upon the Votes for public money. Some of the observations which had been made were the more to be regretted, as two right hon. Gentlemen sitting on the Treasury Bench—the Chief Secretary for Ireland and the Attorney General for Ireland—had met them in the best temper and spirit, and had been ready to listen attentively to all that had been advanced. During the Session they received from their constituents various communications, in which the necessity was shown for calling the attention of Parliament to various matters. In place of putting down those subjects as Motions, he had hitherto reserved those matters for discussion upon the Estimates. Thus, in discussing the Votes, they had felt that they had been discussing a dozen questions, which otherwise would have occupied a whole evening. He might say that, speaking from his own knowledge and for several of his hon. Friends, the time of Parliament had been greatly economized in that manner.

Mr. O'DONNELL thought that the charges which had been made against the hon. and learned Member for Dublin University were really somewhat unfair, for he had only given utterance to the prejudices of his Party, as was evident by the manner in which his sentiments were cheered by his Colleagues. He would not discriminate the hon. and learned Member from his Party, for not only in that House, but outside of it, a Cabinet Minister could not open his mouth without uttering something unfavourable with reference to the Irish Party. Except in that point of view, he did not see any reason for animadverting upon what had been said by the hon. and learned Member for Dublin University.

Mr. J. LOWTHER said, that the Government felt that, having devoted the whole evening to the discussion of Irish Estimates, some substantial progress ought to be made. If hon. Members thought that any special Votes could not receive attention at that time, there was no desire to force them on. All that the Government desired was to make some substantial progress; and if it was understood that the Committee was to be allowed to make substantial progress, then he would not press for a decision upon the Vote under discussion.

Mr. A. MOORE suggested that there were other Votes which had been omitted, and which could be taken.

The CHAIRMAN pointed out that the Motion that he should leave the Chair must be withdrawn before any other Motion could be put.

Mr. BIGGAR did not think that the proposition of the hon. Member would meet with the acceptance of the whole Irish Party. He would suggest that they should then report Progress, and should get through the Votes another time.

Mr. SULLIVAN said, he would ask the hon. and gallant Member for Waterford (Major O'Gorman) to withdraw his Motion. He cordially agreed with the suggestion that they should make progress with other Votes.

Mr. A. MOORE remarked, that the hon. Member for Cavan (Mr. Biggar) seemed to think that he wished some important Votes to be brought on. That was not so.

Mr. O'CONNOR POWER thought that it would simplify matters if they understood exactly what was the proposal of the Chief Secretary.

Mr. J. LOWTHER suggested that they should take the remaining Votes in Class 3.

Mr. CALLAN objected to Vote 36 being taken.

Mr. GRAY asked what Votes the Government suggested should be taken?

Sir HENRY SELWIN-IBBETSON said, he proposed to take the remaining Votes in Class 3—namely, Votes 35, 36, 37, 23, 24, 25, 26, 30, 31, 32, and 33.

Mr. BIGGAR supposed that these Votes were not very important; but, still, it was necessary for them to look over them and see whether there was anything in them to which they ought to object.

Mr. O'DONNELL said, that an important discussion would arise upon the Vote with respect to the Law Charges for Criminal Prosecutions.

Major NOLAN hoped that the Government would be met in a reasonable spirit. He thought that they had made a reasonable compromise with hon. Gentlemen, who thought that the Vote under discussion required further consideration.

Mr. SULLIVAN agreed that the Vote for the Law Charges for the Criminal Prosecution of Prisoners would require considerable discussion. He did not think that it should be taken then.

Mr. CALLAN objected to Vote 25 being taken, as he considered that it would raise a discussion.

The CHAIRMAN asked if the hon. and gallant Member for Waterford proposed to withdraw his Motion?

Major O'GORMAN: No, Sir; I certainly do not. I consider it a perfect monstrosity that we should go on with the discussion at this time. We are accused of obstruction; but I heard no charge of obstruction made when the noble Marquess, the head of the Whig Party, got up and wasted, in the most abominable obstruction, a whole day long, finishing up by being defeated by a majority of 106—which he richly deserved. No one found fault with him; but numbers of Members find fault with us Irishmen. We are not obstructing—we are doing the Business of the country by arguing every question that comes before us; but when we are asked to enter into a question at 3 o'clock in the morning, I think it is perfectly monstrous.

The CHANCELLOR of the EXCHEQUER said, that it had been the wish of the Government to go on with the Vote; but there seemed to be a feeling amongst some hon. Members that the Vote under discussion ought to be postponed, and another taken. Then, the Government had offered to defer going on with that Vote, and to take others. A long discussion had now been going on as to the course they should adopt; and he thought that they ought to arrive at some decision. The Government were ready to postpone the Prisons Vote, provided they were allowed to go on with the Votes which had been already alluded to under the head of Class 3. If hon. Members continued the present discussion, they would get to 5 o'clock before doing anything. If the hon. and gallant Member for Waterford would consent to withdraw his Motion, or allow them to divide upon it, he hoped that some Votes might be passed. The Government had already done what it could to meet the wishes of hon. Members by agreeing to postpone the Queen's Colleges and Queen's University Votes, which were intended to be taken. He thought they should be met in the same spirit.

Mr. GRAY hoped that the hon. and gallant Member for Waterford would agree to the suggestion which had been made.

Major O'GORMAN said, that as it was the unanimous desire of the Committee he begged to withdraw his Motion.

Motion, by leave, *withdrawn.*

Original Motion, by leave, *withdrawn.*

(2.) £41,906, to complete the sum for Reformatory and Industrial Schools, Ireland.

Mr. J. LOWTHER said, he might mention that his attention had been drawn to the case of the Milltown School, in Belfast. He had received a Report with reference to the conduct of an Inspector, and the matter was under the consideration of the Government.

Mr. CALLAN had understood that the Chief Secretary had no objection to postpone Vote 36. A very important question arose upon it as to the conduct of one of the Inspectors connected with those schools. It was his intention to bring before the notice of the House some very grave charges of partizanship on the part of that person. The Inspector in question was a Liberal, and the correspondence which had been furnished showed that he had refused, for four years, to grant a certificate to Milltown School at Belfast.

Mr. J. LOWTHER said, he thought the statement he had made would meet the views of the hon. Member. The hon. Member had called his attention to the case of this school in Belfast, and he had told him that he was not at the moment able to make a satisfactory inquiry. He had since considered the matter, and received a Report with regard to the conduct of the school Inspector. If the hon. Member wished to call attention to the Inspector's conduct, he could bring the matter forward.

Mr. A. MOORE would press upon his hon. Friend not to press his opposition, since Her Majesty's Government had taken up the matter.

Mr. CALLAN said, that, in deference to the manner in which the Chief Secretary had met them in the course of that evening, he begged to withdraw his opposition. He might say that he did it solely and simply to mark his appreciation of the manner in which they had been met by the Chief Secretary.

Vote *agreed to.*

(3.) £4,824, to complete the sum for Dundrum Criminal Lunatic Asylum, *agreed to.*

(4.) £8,441, to complete the sum for the Land Judge's Offices, Ireland, *agreed to.*

(5.) £14,444, to complete the sum for the Registry of Deeds (Ireland).

Mr. MELDON wished to call attention to a question which arose in connection with this Vote. Owing to the action of the Treasury, the efficiency of this particular public Office in Ireland had been considerably diminished. In 1873 two vacancies occurred in the Registry of Deeds, and the Registrar did everything necessary to fill them up; but the Treasury refused to make the appointments, because they said that some Committee was sitting which might make some change in the arrangements. Those appointments remained unfilled, and the thing went on until there were no less than eight vacancies in the Office. Those positions had been temporarily filled by the Treasury by the appointment of writers, who were unable to do the work, or supply the place, of the trained clerks who had formerly occupied the positions. About the beginning of the year the Treasury filled up two or three appointments; but the persons appointed, after having been in possession of their offices for a little while, had had their appointments cancelled by an order of the Treasury. By those means the efficiency of the

Office had been much endangered; and he should like to know whether the Treasury intended to fill up the vacancies that now existed?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, that a Royal Commission was at present considering the whole question with reference to this Office, and he had no doubt whatever that the fact of the delay in filling up the appointments was due to the subject having been under consideration. He might say that the Report of that Royal Commission would be very soon presented, and that some satisfactory arrangement would be made.

MR. MELDON said, that if it were the intention of the Treasury to postpone its decision until the Report of the Royal Commission was received, and then to fill up the appointments, he thought the arrangement would be perfectly satisfactory.

Vote *agreed to.*

(6.) £2,070, to complete the sum for the Registry of Judgments, Ireland, *agreed to.*

(7.) £56,245, to complete the sum for County Court Officers, &c., Ireland, *agreed to.*

(8.) £103,017, to complete the sum for the Dublin Metropolitan Police.

MR. GRAY said, that he had received some 50 or 60 letters complaining of the way in which fines were inflicted if convictions were not secured. He wished also to draw attention to the manner in which the Metropolitan police were treated in the matter of pensions. Up to a very recent period, if a member of the Dublin Metropolitan Police Force found himself dying, either by injuries received in the discharge of his duty, or otherwise, he was given great facilities by the authorities to commute his pension into a lump sum. Under ordinary circumstances, he might either make a commutation or receive a lump sum in lieu of pension. Members of the Police Force thus dying had been permitted to commute their pensions from a feeling that an indirect provision was thus made for their wives and families. In every case that occurred in which men were unable to complete the necessary papers, but had verbally agreed to commute their pensions, it was held to be sufficient, and the commutation was granted to their wives and families. But within the last few months technical objections had been raised to defects in the papers, and the commutation had been refused. Many men had thus died under the impression that they were securing for their wives and families some provision; and it was the feeling of the Chief Commissioner that those cases were worthy of consideration. He himself had seen men *in articula mortis* agree to commute their pensions for the benefit of their widows, and that commutation had been recognized by the authorities. He would ask the Chief Secretary if he would do something by which the injustice inflicted upon members of the force, by taking technical objections to the commutations made *in articula mortis,* should be remedied?

MR. J. LOWTHER said, that the hon. Member had complained of fines being inflicted upon the Police Force for not obtaining convictions. That was a form of payment by results which he was not prepared to endorse. With regard to the subject of the commutation of pensions, he could give no answer at that time, but would look into it.

MR. MELDON said, that with regard to the infliction of fines, he could inform the right hon. Gentleman that there was great dissatisfaction among the police. The fines that were inflicted were enormous; and he did not think that the members of the force were to blame in the matter. It was only on occasions like the discussion of the Votes that the complaints of the members of the Police Force could be brought forward.

MR. WHITWELL observed, that the Chief Secretary had said he would consider this matter; but, doubtless, the Treasury would have something to say to it. Where a constable commuted his pension it ought to be done before he died.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow,* at Two of the clock;

Committee to sit again upon *Wednesday.*

BANKRUPTCY LAW AMENDMENT BILL [*Lords*]—[BILL 114.]

(*Mr. Attorney General.*)

SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Question [16th July], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

THE ATTORNEY GENERAL (Sir JOHN HOLKER): I wish to make one or two observations with reference to this Bill, and I hope that the House will now allow it to be read a second time. I then propose to move that it be committed *pro formâ*. I think that course will meet with the approval of the House, and I may say that I make the proposal in consequence of the recommendation of the hon. and learned Member for Coventry (Sir Henry Jackson). I have only this further remark to make—that the Government will be quite willing, next Session, to introduce into the House a Bill for the consideration of the Law of Bankruptcy—that has been suggested, and the Government are quite willing to do so. I have to move that the Bill be now read a second time.

MR. WHITWELL thought there could be no doubt that the only plan for remedying the present defects of the law was to adopt the course suggested by the hon. and learned Gentleman.

MR. DILLWYN complained that a Bill of an important character like the present had been left to that period of the Session. He only hoped that Her Majesty's Government would not attempt to force the amended Bill through the House at that late period of the Session, for it seemed to him that it would be very likely to give rise to considerable discussion.

Question put, and *agreed to.*

Bill read a second time, and *committed; considered* in Committee, and *reported;* to be *printed*, as amended [Bill 254]; *re-committed* for *Monday* next.

House adjourned at a quarter
before Four o'clock
in the morning.

HOUSE OF LORDS,

Tuesday, 22nd *July*, 1879.

MINUTES.]—PUBLIC BILLS—*First Reading*—Army Discipline and Regulation (Commencement) (157).

Second Reading—Commons Act (1876) Amendment (152).

Committee—Report—Customs Buildings* (146).

Third Reading—Public Loans Remission* (144); Army Discipline and Regulation (156), and *passed.*

BRENTFORD AND ISLEWORTH TRAMWAYS BILL.

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."

LORD TRURO moved an Amendment that the Bill be read a third time that day three months. The noble Lord said, that the proposed tramway would begin nowhere and end nowhere, and, in fact, the two ends had no other purpose than to continue the central section. The opponents of the Bill were the inhabitants of the district, and, as far as he knew, no Petition had been presented in its favour. He did not know who the promoters were. In fact, all that was required in starting a project of the kind was an engineer and a solicitor. The South-Western Railway afforded accommodation to the travelling public of the locality. The market gardeners of the district and the waggoners who used the road on which the proposed tramway would be laid down were strong in their opposition to the scheme, and there was not the least prospect of such a passenger traffic on the road as would make the tramway desirable.

Amendment *moved*, to leave out ("now") and add at the end of the Motion ("this day three months").—(*The Lord Truro.*)

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES) said, he did not feel justified in opposing the Bill, which had come up from the Commons.

On Question, That ("now") stand part of the Motion? Their Lordships *divided*:—Contents 44; Not-Contents 5; Majority 39.

CONTENTS.

Cairns, E. (*L. Chancellor.*)

Northumberland, D.
Richmond, D.

Salisbury, M.

Beaconsfield, E.
Beauchamp, E.
Bradford, E.
Cadogan, E.
Clonmell, E.
Coventry, E.
Dundonald, E.
Hardwicke, E.
Harrowby, E.
Macclesfield, E.
Redesdale, E. [*Teller.*]
Romney, E.
Verulam, E.

Cranbrook, V.
Hawarden, V.
Hutchinson, V. (*E. Donoughmore.*)
Templetown, V.

Clanbrassill, L. (*E. Roden.*)
Clinton, L.
Clonbrock, L.
Colchester, L.
Cottesloe, L. [*Teller.*]
Crofton, L.
De L'Isle and Dudley, L.
de Ros, L.
Digby, L.
Elphinstone, L.
Hartismere, L. (*L. Henniker.*)
Inchiquin, L.
Kenlis, L. (*M. Headfort.*)
Lilford, L.
Lyveden, L.
Monson, L.
Norton, L.
Penrhyn, L.
Silchester, L. (*E. Longford.*)
Skelmersdale, L.
Sudeley, L.
Windsor, L.
Wolverton, L.

NOT-CONTENTS.

Ellesmere, E.

Foxford, L. (*E. Limerick.*)

Stanley of Alderley, L. [*Teller.*]
Truro, L. [*Teller.*]
Vivian, L.

Resolved in the *Affirmative;* Bill read 3ª accordingly, with the Amendments; further Amendments made; Bill *passed,* and sent to the Commons.

METROPOLITAN AND METROPOLITAN DISTRICT RAILWAY COMPANIES BILL.

THIRD READING.

Order of the Day for the Third Reading, read.

The Queen's *consent* signified; Bill read 3ª, with the Amendments.

THE EARL OF LONGFORD: As a Member of the Select Committee of your Lordships' House to which this Bill was referred, I may be allowed to state that it was after a long inquiry that they arrived at their decision, and they would now prefer to see the Bill passed without amendment. It will, however, be for the House, after hearing the Amendments which are about to be proposed, to take whatever course they may be advised.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES): I may for a moment be permitted to state that since Friday last I have seen the parties; and although there is great objection in general to amending Bills which have passed Select Committees of both Houses of Parliament, there seems to be no reasonable objection to make some alteration in the direction suggested by the noble Earl (the Earl of Camperdown), who has placed Amendments on the Paper. The noble Earl, in the first place, objected to sub-section 2 of Clause 42, which is as follows:—

> "The two companies, or either of them, may hold and let the hereditaments or premises and may grant building and repairing leases of the same for any term they may think fit."

Since placing that Amendment on the Paper, however, the noble Earl has objected to the entire clause. I do not feel myself to be in a position to accede to that Amendment, and what I propose is that the clause shall be retained, omitting from it the words "by virtue of any Act or Acts heretofore passed." The effect of these words is to extend the action of the Bill in certain cases over lands acquired by the two Companies under former Acts as well as under this Bill, so that the omission of the words will have the effect of confining the operation of the clause to lands vested in the two Companies under this Act.

Amendment made.

THE EARL OF REDESDALE (CHAIRMAN of COMMITTEES): The next Amendment which the noble Earl (the Earl of Camperdown) has placed on the Paper is to leave out the following words at the end of Clause 91:—

> "Nor to sell or appropriate any part of the property purchased by them, or to set back any frontages for improving or widening street."

It seems that the Corporation of London, the Metropolitan Commissioners, and the Board of Works, objected to these words as putting them in an unfair position for dealing with the land. I therefore think that the words can be struck out, but that the following Proviso should be inserted:—

> "Provided, That in the event of any part of the lands acquired by the two companies under this Act being hereafter taken from them by the Corporation, Commissioners, or Board, for improving or widening the adjoining streets, regard shall be had in the settling of compensation to the monies and other considerations given by the two companies for acquiring such lands."

Amendment made.

Bill *passed,* and sent to the Commons.

COMMONS ACT (1876) AMENDMENT BILL—(No. 152.)

(*The Lord Henniker.*)

SECOND READING.

Order of the Day for the Second Reading, read.

LORD HENNIKER, in moving that the Bill be now read a second time, said, the Bill was a very simple one; it had passed the other House unopposed, and was approved by those most conversant with the subject. The facts of the case were that the Act of 1876 provided that funds derived from the letting or the sale of the herbage of recreation grounds should be applied to certain limited purposes; these funds had accumulated in the hands of parish officers, and they had discovered, in many instances, that it was not within their power to apply them as laid down by the Act; while in the same parish field gardens remained undrained and unimproved for want of funds. The object of the Bill was to release these funds, which could not at present be usefully applied, or, in fact, employed at all, and to enlarge the provisions of the Act of 1876 in the direction indicated by the one really enacting clause of this measure.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

ARMY DISCIPLINE AND REGULATION BILL—(No. 156.)

(*The Viscount Cranbrook.*)

THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."—(*The Viscount Cranbrook.*)

LORD WAVENEY said, he had not had time to examine the Bill as closely as he would have wished to do. The country was not satisfied with the condition of the Army. We must not have an Army which after all the pains which had been taken with it was disorganized by a little war.

Motion *agreed to;* Bill read 3ª accordingly, and *passed.*

ARMY DISCIPLINE AND REGULATION (COMMENCEMENT) BILL—(No. 157.)

(*The Viscount Bury.*)

FIRST READING.

Bill read 1ª.

VISCOUNT CRANBROOK said, he would have to ask their Lordships to meet at 2 o'clock to-morrow, in order to advance this Bill.

Bill to be read 2ª *To-morrow;* and Standing Orders Nos. XXXVII. and XXXVIII. to be considered in order to their being dispensed with.

METROPOLIS — DANGERS OF THE STREETS.—MOTION.

VISCOUNT TEMPLETOWN moved, pursuant to Notice—

> "That in view of the enormous increase in the number of persons injured by the passage of vehicles in the streets during the year 1878 as compared notably with that of 1877 and the years preceding it, Her Majesty's Secretary of State for the Home Department be instructed to move the vestries of the several parishes of the Metropolis to erect central refuges in all such places as in the opinion of the superintendent of the police such shall be required for the protection of those passing on foot."

EARL BEAUCHAMP thought that their Lordships would hardly be disposed to accede to the Motion. He thought the noble Viscount was mistaken in thinking that there had been that enormous increase in the number of persons injured by the passage of vehicles in the streets of the Metropolis as was indicated in his Motion. On the contrary, the Returns presented to Parliament showed a considerable improvement in this respect. In respect of fatal accidents since 1869 down to the present time, the number had remained very much the same. In 1869, when the population of the Metropolis was 3,500,000, the number of fatal accidents was 182; and in 1877, when the population had increased to 4,500,000, it was 124. This was a great improvement when the great increase in the number of passengers was taken into consideration. The ordinary street accidents also had decreased within the specified period. The House would scarcely arrogate to itself the function proposed by the noble Viscount. The erection of those refuges was a matter for the Vestries, and it would be for the Secretary of State for the

Home Department to interfere if the Vestries did not discharge their duty in that respect.

Lord ABERDARE said, he wished to say a few words on the matter, because there was a mistaken idea abroad that preventable accidents in the streets were increasing. The fact was, that they had considerably decreased, because the number of those accidents had for several years remained about the same concurrently with a very large increase in the population. He wished their Lordships also to notice that the greater number of them did not happen in the most crowded and dangerous streets. The reason of this was that in such streets a larger force of police were employed to watch the vehicular traffic, and people were more careful. In Lambeth, in 1877, the number of fatal accidents was 1; in Whitehall, 1; in the district of St. James, 2; and in Westminster, 3; while in Stepney it was 15, and in Islington 10.

Motion (by leave of the House) *withdrawn.*

THE LATE PRINCE IMPERIAL—COURT MARTIAL ON LIEUTENANT CAREY.

QUESTION. OBSERVATIONS.

Lord TRURO, in asking Her Majesty's Government, Whether the Colonel Harrison, who was appointed to sit on the court martial to inquire into the circumstances attending the death of the late Prince Imperial, was the Assistant or Deputy Assistant Quartermaster General of that name—said, it would be well that the noble Lord (Viscount Bury) should give a distinct answer, and such as would satisfy the country and the Army; for, it had been stated in the papers, upon the best authority, that Colonel Harrison, whose name appeared as one of the court martial appointed to try Lieutenant Carey was the same Colonel Harrison who was the Assistant or Deputy Assistant Quartermaster General in South Africa; and, from what they had heard, he was the officer who was supposed to be responsible for the course which was taken by the late Prince Imperial. It was almost inconceivable, therefore, that the military authorities would place on the court martial an officer who was most responsible—he (Lord Truro) would not say for the disaster—but for the course which was pursued on that occasion. It would be unbecoming in him to make any further comments upon the matter, until they had heard from the Under Secretary of State for War whether the Colonel Harrison on the court martial was the Assistant or Deputy Assistant Quartermaster General of that name.

Viscount BURY said, he had made inquiries respecting the information received at the War Office, and he had reason to believe that Colonel Harrison was not a member of the court martial.

PARLIAMENTARY REPORTING.

Message to the Commons for the Reports from the Select Committee of that House (of this Session and last Session), together with the Minutes of Evidence, &c.

House adjourned at a quarter past
Six o'clock, till To-morrow,
Two o'clock.

HOUSE OF COMMONS,

Tuesday, 22nd July, 1879.

MINUTES.] — Select Committee — *Report* — Privilege (Tower High Level Bridge (Metropolis) Committee).

Supply — *considered in Committee* — *Resolutions* [July 21] *reported.*

Public Bills — *Resolution in Committee* — Supreme Court of Judicature (Officers) [Salaries, &c.]*.

Second Reading—Banking and Joint Stock Companies [126], *debate adjourned;* National School Teachers (Ireland) [246].

Committee—Report—Lord Clerk Register (Scotland) [196].

Committee — Report — Considered as amended — Third Reading—Army Discipline and Regulation (Commencement) [248], and *passed.*

Considered as amended—Third Reading—Petroleum Act (1871) Amendment * [214], and *passed.*

Third Reading—East Indian Railway (Redemption of Annuities) * [244], and *passed.*

The House met at Two of the clock.

QUESTIONS.

ARTIZANS' DWELLINGS ACT, 1875.

QUESTIONS.

Mr. FAWCETT asked the Chairman of the Metropolitan Board of Works, in reference to his statement that a Committee of the Board has been appointed to consider what amendments should be introduced into the "The Artizans' and Labourers' Dwellings Act, 1875," with the view of diminishing the cost of carrying out that Act in the Metropolis, If he can inform the House when the Report of that Committee will be presented to the Home Secretary; and, whether, as the cost to the Metropolitan Ratepayers of clearing six sites will be £562,061, he can undertake that the other sites which have been cleared shall not be disposed of until the Report of the Committee has been laid before the Home Secretary, and it has been ascertained whether it is his intention to propose to amend the Act of 1875?

SIR JAMES M'GAREL-HOGG: Sir, I trust that the Metropolitan Board of Works will be in a position to make a representation to the Secretary of State on the subject of amendments of the Artizans' and Labourers' Dwellings Act in the course of a week or two. With regard to the further disposal of sites, I may remind the hon. Member that of the six sites referred to by him only part of one has up to this time been actually cleared, and the Board are only now acquiring the interest in the remainder of the 14 which I alluded to in my reply on the 14th instant. The Home Secretary, therefore, will have full opportunity of considering the representations of the Board.

MR. FAWCETT asked, Whether the hon. Gentleman would give an undertaking that none of the other sites which had been cleared should be disposed of until the Report of the Committee had been laid before the Home Secretary, and it had been ascertained whether it was his intention to amend the Act of 1875?

SIR JAMES M'GAREL-HOGG said, he would rather consult his Board before pledging them on the matter.

MR. FAWCETT said, he would on that day week put the Question to the Chairman of the Metropolitan Board, after he had had an opportunity of consulting his Colleagues.

MR. ASSHETON CROSS said, perhaps he might be allowed to state that it had been under his consideration for some time whether anything could be done to lessen the expense of carrying out the Artizans' and Labourers' Dwellings Act. With respect to the machinery of that Act, he hoped even in this Session to produce a short Bill to lessen the expense.

FISHERIES—SALMON DISEASE—COMMISSION OF INQUIRY.—QUESTION.

CAPTAIN MILNE-HOME asked the Secretary of State for the Home Department, When the Commission to inquire into the causes of disease among the salmon of certain English and Scotch rivers will be appointed; and if he will state the names of the Commissioners selected by the Government?

MR. ASSHETON CROSS: Sir, we are still in communication with the Treasury on the subject, and, therefore, I cannot make any definite statement at present as to the constitution of the Commission, though I hope that Mr. Walpole, Mr. Buckland, and one of the Scotch Fishery Commissioners will be members of it. No inquiry can take place until the spring. During the autumn the Commissioners can go on taking evidence; but if the disease should unfortunately occur again, they will not be able to make a personal inquiry into its causes until the spring.

TURKEY—THE JEWS IN EASTERN ROUMELIA.—QUESTION.

MR. SERJEANT SIMON asked Mr. Chancellor of the Exchequer, Whether Her Majesty's Government have received any and what accounts of the outrages committed in Eastern Roumelia upon Jewish refugees returning to their homes at Carlovo; and, if so, what steps have been taken for their protection and for their security in the future?

MR. BOURKE: Yes, Sir, Her Majesty's Government have heard from the Consul General at Philippopolis that 80 Jewish families who had been invited to return to their homes at Carlovo were met near that town by a mob of 200 persons and stoned. When our Consul General heard of the outrage, he immediately made a strong representation to the Governor General, Aleko Pasha, who, upon the remonstrances of the Consul General, appointed a Commission to inquire into the circumstance. That Commission consisted of five persons, and they made a Report to the Governor General. When my noble Friend the

Secretary of State for Foreign Affairs heard of the matter, he desired Mr. Mitchell to address another strong remonstrance to Aleko Pasha, and tell him that it was his duty to prevent any outrage of this kind occurring. We have since heard that the result of the Commission has been that the officer—the the head of the police—whose duty it was to prevent these outrages at Carlovo, has been removed by Aleko Pasha, and has been declared by the Governor General to be unfit to hold in future any appointment in Eastern Roumelia.

FISHERIES (SCOTLAND)—THE FIRTH OF FORTH.—QUESTION.

Captain MILNE-HOME (for Lord Elcho) asked the Secretary of State for the Home Department, Whether, having regard to the losses the fishermen in Firth of Forth are suffering through injury to their lines and the destruction of the chlam and mussel beds by the action of steam trawling vessels, he will take steps for their protection?

Mr. ASSHETON CROSS, Sir, great injury has certainly been done in the way pointed out in the Question, and I will see that whatever is possible will be done to prevent anything of the kind in future. The injury referred to was of a purely wanton character, and could do no good. The Fishery Commissioners have made inquiries into the matter, and have agreed to make certain recommendations, which will be embodied in their Report. They have also met persons interested in the matter, as well as the persons who were responsible for the injury, and have urged on them to do all they can to prevent such occurrences in future. No efforts on my part shall be wanting towards that end. Whatever power I have will be put in force; but I think it exceedingly likely that I shall have to come to Parliament to ask for further powers.

SOUTH AFRICA — WAR WITH SIKUKUNI.—QUESTION.

Mr. WHITWELL asked the Secretary of State for the Colonies, Whether he has noticed, at page 150 in the South African Blue Book just issued, that the High Commissioner (Sir Bartle Frere), addressing the special meeting of the inhabitants of the Transvaal, held at Pretoria on April 23rd last, and, speaking for the British Government, said: "Our first business will be to attack Sikukuni;" adding—

> "I have written to Lord Chelmsford that the favourable season is at hand, and is short, and that we should, therefore, as soon as possible, whenever he can spare them, send up troops in that direction;"

and, whether the Government, in compliance with that assurance of the High Commissioner, has authorised the departure of troops for the attack on Sikukuni?

Sir MICHAEL HICKS-BEACH: No, Sir, I have not authorized such an expedition. In writing to Sir Bartle Frere on the 10th of April, I expressed the hope that the troubles then existing or anticipated by him in various parts of South Africa, including Sikukuni's country, might disappear, either independently or in consequence of that complete settlement of the Zulu difficulty which I trusted to see speedily effected; and I requested him carefully to bear in mind that any wider or larger action of the kind apparently suggested by him, beyond that which might be necessary for the termination of the Zulu question, should be submitted to Her Majesty's Government for their consideration and approval before any steps were taken to carry it into effect. I believe that Lord Chelmsford declined to comply with the request that troops should be sent to the Transvaal for an attack on Sikukuni; but I subsequently called Sir Garnet Wolseley's attention to the views on this subject which I had expressed in my despatch of April 10; and the hon. Member may, perhaps, have noticed, in the telegram from Sir Garnet Wolseley which I read on Friday, that he states that there was no news of importance from the Transvaal, that he had ordered Colonel Lanyon to undertake no offensive operations, to restrict his operations to protection of life and property, and to curtail expenses in every possible way.

SOUTH AFRICA — THE ZULU WAR — THE PAPERS.—QUESTION.

Mr. WHITWELL asked Mr. Chancellor of the Exchequer, Whether, before the Supplementary Vote for the Zulu War, &c., is asked for, any Correspondence will be laid upon the Table of the House showing the history and present state of discussion between the Home Government and that of the Cape Colony, or with the Transvaal, as to their money claims on the English Government?

THE CHANCELLOR OF THE EXCHEQUER: Sir, some Papers are being prepared, and will be laid on the Table very shortly, with regard to communications between the Home Government and the Government of the Cape as to financial questions between them.

SOUTH AFRICA—GRIQUALAND WEST —ALLEGED MASSACRE NEAR KOEGAS.—QUESTION.

DR. CAMERON asked the Secretary of State for the Colonies, Whether he has observed in the South African Papers just issued (C. 2367), page 78, a Report from Field Commandant Van Niekerk admitting that in an attack upon a party of Natives at Luisdraai, near Koegas, he had killed forty-six, including ten women and children, and captured the rest, being five men and twenty-seven women and children; whether it is a fact that in the same Papers, pages 157 and 158, Mr. Jackson, the Special Commissioner appointed by the Government of Cape Colony to inquire into atrocities alleged to have been perpetrated on the occasion, reports—

> "That a terrible and unjustifiable massacre of a party of bushmen, with their wives and children, had taken place at the hands of burghers under command of Commandant Van Niekerk;"

adding—

> "Nothing could justify the shooting at Luisdraai, and subsequently on the march to Koegas, of the wounded, among whom were women and little children;"

and recommending that a preparatory examination should be instituted against Commandant Van Niekerk with the view of bringing the guilty parties to justice; and how he reconciles with these statements a despatch from Colonel Lanyon, published at page 120 of the same Papers, which is apparently fairly enough summarized in the index of the Papers, as

> "Showing that the alleged massacre of Natives at Koegas, as referred to by Dr. Cameron in the House of Commons, never occurred?"

SIR MICHAEL HICKS-BEACH: Sir, Colonel Lanyon's despatch is perfectly consistent with the statements quoted by the hon. Member, because in that despatch he merely denies that the occurrence took place in Griqualand West, or that the massacre was perpetrated by Volunteers from his Province. Of course, Colonel Lanyon could not say what had or what had not taken place beyond the limits of his own government; and the mistake is in the index to the Papers, in which Colonel Lanyon's despatch certainly is not fairly summarized as showing that this event "never occurred." I regret that the index was not more carefully compiled.

DR. CAMERON: Is Koegas not in Griqualand West?

SIR MICHAEL HICKS-BEACH: The massacre certainly took place within the jurisdiction of the Cape Colony, because the Government instituted an inquiry into the facts of the case, and intend to prosecute those who took part in the massacre.

NAVY—SENTENCE ON A SEAMAN AT SHEERNESS.—QUESTION.

MR. MACDONALD asked the First Lord of the Admiralty, If his attention has been drawn to a paragraph headed "Naval Discipline," in "Capital and Labour," dated the 16th instant, on page 431 of that journal, which reads as follows:—

> "NAVAL DISCIPLINE.—A court martial was held at Sheerness on Monday, on board the Admiral's ship, to try a seaman for disobeying orders and for striking a petty officer. As the plea was 'guilty' no evidence was needed, and after an hour's deliberation the Court adjudged the prisoner to the astounding punishment of two years' imprisonment, the first week in each month to be passed in solitary confinement, and the remainder of the time in hard labour;"

whether the persons who composed the court martial were naval officers; and, whether he will cause an inquiry to be made into the whole circumstances of the case; and, in the meantime, if he will take steps to stay the carrying out of any part of a sentence apparently so severe?

MR. W. H. SMITH: Sir, my attention has been drawn to the paragraph to which the hon. Gentleman alludes. The court martial was composed, as the Rules of the Service require, of Naval officers. The circumstances have already been reported to the Admiralty, and they show that the offences for which the prisoner was tried were of the most grave character—being deliberate and repeated disobedience of lawful and reasonable commands of his superior officer, followed up by an assault. I admit that the sentence is a severe one; but I am not prepared to say that it was excessive, if regard is had to the absolute necessity of maintaining discipline in the Service. As I only received Notice of the Question yesterday, I have had no opportunity of getting a Report from the officers who composed the court martial, and, therefore, it is impossible for me to say whether any portion of the sentence can be remitted.

THE BANKRUPTCY BILL.—QUESTION.

MR. RATHBONE asked Mr. Chancellor of the Exchequer, Whether, in case the reduced Bankruptcy Bill passed this Session, the Government would bring in a Consolidation Bill next Session, and refer the same to a Select Committee as had been suggested?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I regret that the hour at which the Bankruptcy Bill came on this morning was so late that the proceedings could not be reported in the newspapers. But the Attorney General stated, in moving the second reading of the Bill, that his object was to reduce it to an amending Bill of a much shorter description; and he, at the same time, gave an undertaking that a Consolidation Bill should be introduced next Session at an early period. There would be no objection to refer the Consolidation Bill to a Select Committee.

SOUTH AFRICA—GRIQUALAND EAST—THE IMPRISONED GRIQUAS.

QUESTIONS.

MR. W. H. JAMES asked the Secretary of State for the Colonies, Whether it is the fact that in April 1878 William Kok, son of the Chief Adam Kok, was arrested, and together with the 137 other Griquas imprisoned at Cape Town; whether during that interval they have never been brought before any judicial tribunal, and the nature of their offence kept both from them and their friends; whether these persons are British subjects; whether they have given repeated assurances of their loyalty; and whether, when they are brought to trial, any compensation will be afforded to them for their imprisonment during this lengthy period, and for the property confiscated from them at the time of their arrest?

SIR MICHAEL HICKS-BEACH: Sir, I believe that about the number of Griquas stated by the hon. Member have been for some time imprisoned at Cape Town, and I have not heard that they have been brought before any judicial tribunal. But their offence is perfectly well known to themselves and to others, as it consisted in a movement to drive the White inhabitants and the Government authorities out of Griqualand East, culminating in the open levying of war against the Queen. I cannot say what their precise legal position may be; but they appear to have been detained and treated as prisoners of war. From the nature of their offence, expressions of loyalty must be accepted with great reserve. Nor would any compensation for their detention appear to be due to them. The length of their detention is, I presume, due to the disturbed state, at first of Pondoland and Griqualand East, and subsequently of Basutoland, which may naturally have disposed the authorities to consider that the time had not arrived when they could safely be allowed to return to their country.

MR. W. H. JAMES: Will the right hon. Gentleman be good enough to say why these persons have not been brought to trial?

SIR MICHAEL HICKS-BEACH: I have already stated that they have been detained and treated as prisoners of war.

POST OFFICE (IRELAND) — BELFAST POST OFFICE.—QUESTION.

MR. BIGGAR asked the Postmaster General, If it is true that during the past seven years thitreen telegraph instrument clerks in Belfast Post Office have died from consumption; and, whether the high rate of mortality is not to be attributed to improper ventilation and impure supply of water; and, if so, whether he will make arrangements to have the defects remedied?

LORD JOHN MANNERS: Sir, I have ascertained that the number of telegraph clerks at Belfast who died from consumption during the last seven years is 10. But there is no reason to suppose that their deaths are in any way attributable to want of ventilation in the instrument room or to impurity in the water supply. The Belfast Post Office was recently largely improved at a considerable expense, and the medical officer reports to me that there are no defects to call for remedy.

ORDERS OF THE DAY.

Ordered, That the Orders of the Day appointed for this Evening be postponed until after the Notice of Motion relating to Unfulfilled Arrangements of the Congress of Berlin. (*Mr. Chancellor of the Exchequer.*)

ORDERS OF THE DAY.

PRIVILEGE — (TOWER HIGH LEVEL BRIDGE (METROPOLIS) COMMITTEE).

Report from Select Committee *considered.*

The CHANCELLOR of the EXCHEQUER : I do not propose to detain the House at any great length on the subject of this Report, because the Motion, with which I intend to conclude, will not be of a final character; but I shall propose to fix to-morrow for the decision of the House as to what steps it may think ought to be taken. I, therefore, would only remind the House that the Report which we have had placed before us is the Report of the Select Committee that was appointed last week for the purpose of inquiring into certain circumstances which had been reported by a Committee on a Private Bill—the Committee on the Tower High Level Bridge (Metropolis) Bill. The nature of those circumstances is, I think, pretty well known to all the Members of the House. Hon. Members are aware that in the course of the proceedings of that Private Bill Committee some communication was made to the Committee to the effect that a Mr. Charles Edmund Grissell had been making overtures to the solicitors who were engaged in the conduct of the case of one of the parties to that Bill, and had asserted, in the course of his communications, that he had the power to control the proceedings of the Committee. He further stated that he was willing to exercise his power of control on a consideration—namely, the sum of £2,000, which he expected to receive for that purpose. That communication had been made in concert with his solicitor, Mr. John Sandilands Ward. A Select Committee was appointed to inquire into the circumstances, and as their Report is now in the possession of the House, together with the evidence they have taken, it will be sufficient for my purpose to call the attention of the House to the concluding paragraphs of that Report, which, perhaps, the House will permit me to read. The Committee say—

> "Your Committee, having fully considered the statements presented to them, and having regard to the character of the evidence given by, and the demeanour of, the several witnesses, and the documents produced, have come to the unanimous conclusion that the statements made by Mr. Hooker and Mr. Cockell are true, and that the counter-statements made by Mr. Ward and Mr. Grissell are false; but your Committee do not think it necessary to point out in detail the discrepancies and contradictions with which the evidence of the two last-mentioned witnesses abounds.
>
> Your Committee are unanimously of opinion that Mr. Grissell, in asserting that he could control the decision of the Committee on the Tower High Level Bridge (Metropolis) Bill, and in the offer he made to do so, was guilty of a breach of the Privileges of the House.
>
> And they are also unanimously of opinion that Mr. Ward was cognizant of, and assisted Mr. Grissell in, the matter of this offer, and was likewise guilty of a breach of the Privileges of the House."

Now, the unanimous finding of that Select Committee is obviously one of very great importance. The charge they make is one of so very grave a nature that it demands the earnest attention of this House. At the same time, I think that the feeling of the House will probably be that in a matter of this kind we ought to proceed with proper deliberation, and I shall, therefore, move—

> "That Mr. Charles Edmund Grissell and Mr. John Sandilands Ward do attend this House To-morrow, at Twelve o'clock,"

when the House will decide what further course it will take.

Sir WILLIAM FRASER : I should like to say a word as to a Question which was put by me when this matter was first brought forward, but which received no answer. A Motion had been made to the effect that Mr. Charles Edmund Grissell attend at the Bar of this House; but that Motion was withdrawn, and I ventured to ask this Question—If Mr. Grissell were not then ordered to attend, what means would there subsequently be of forcing his attendance? I have no means of knowing whether Mr. Grissell will appear to-morrow, or not; but, looking at human nature as it usually is, I should say that his appearance here is exceedingly improbable. The matter having been investigated, and circumstances having been alleged that are apparently strongly condemnatory of him, I should think it is most improbable that he will appear, and I venture, therefore, to ask this Question —What means have been taken to ensure his attendance at the Bar of this House to-morrow at 12 o'clock?

MR. WHITBREAD: Sir, before any answer is made by the right hon. Gentleman the Chancellor of the Exchequer to the Question just put to him by the hon. Baronet (Sir William Fraser), I should like to say a few words on this matter. I, for one, am sorry to find that the case is to be treated in the manner proposed, and I should be glad to hear from the Chancellor of the Exchequer whether he has consulted the Law Officers of the Crown as to whether the case is not one that ought to be dealt with in the ordinary course of law? It seems to me, on reading the evidence that has been published, that the offence charged against the persons concerned is that of a mere vulgar attempt to obtain money, and I should have thought it raising that offence to too dignified a position to call these two persons to the Bar of this House. I should much have preferred, if it could have been so determined, that the matter should have been dealt with in the ordinary process of the law. If these persons had set themselves up as seriously questioning the Privileges of this House, I could understand that the method now proposed would be the proper way in which the House should deal with the matter; but it seems to me that they do not pretend that there was any justification for the act they committed, and, this being so, and the offence being a vulgar and common attempt to obtain money in a corrupt way, I should have been much better pleased if the case could have been dealt with by the ordinary law.

THE CHANCELLOR OF THE EXCHEQUER: In reply to the Question of my hon. Friend (Sir William Fraser) as to what means are to be taken for requiring the attendance of Mr. Grissell at the Bar of this House, I can only say that we must wait till we see whether the Order he will receive from Mr. Speaker, and which will be of a peremptory character, is obeyed or not, and then it will be for the House to consider what we shall otherwise do, and it would be unwise to anticipate it. With regard to what has been said by the hon. Member for Bedford (Mr. Whitbread), I may say that there is, no doubt, something in the point he has raised; but I have consulted my learned Friends the Law Advisers of the Crown in the matter, and they are distinctly of opinion that the case is one which it would be rather difficult to deal with in the ordinary Courts of Law. It having first been brought under the notice of a Committee of this House, then, having been brought by that Committee before this House, and afterwards discussed by a Select Committee appointed for the purpose, and that Committee having reported that there has been a Breach of Privilege, I think it would be difficult now to take the course which the hon. Member for Bedford has suggested. On referring to precedents in relation to such cases, I have found that in former times there have been several in which attempts to influence corruptly the proceedings of this House have been dealt with summarily as Breaches of Privilege.

MR. CALLAN: May I ask the Attorney General, whether, taking the Report of the Select Committee to be substantially that the statements of Mr. Grissell and Mr. Ward were false—that they have pledged their oaths to false statements — cannot an indictment be formed against them before an ordinary legal tribunal for the offence so committed?

THE ATTORNEY GENERAL (Sir JOHN HOLKER): There is no doubt that Mr. Grissell and Mr. Ward have given false evidence before the Committee, and if the fact that they have given false evidence can be substantiated by evidence, they might be convicted and punished for that offence. At the same time, I do not think that that would be a desirable course to take.

Motion *agreed to*.

Ordered, That Mr. Charles Edmund Grissell and Mr. John Sandilands Ward do attend this House *To-morrow*, at Twelve of the clock.—(*Mr. Chancellor of the Exchequer.*)

ARMY DISCIPLINE AND REGULATION (COMMENCEMENT) BILL—[Bill 248.]

(*Colonel Stanley, Mr. Cavendish Bentinck.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee).

Colonel STANLEY, in moving the insertion of certain Amendments, said, he could assure the Committee they were only verbal in their nature.

Mr. RYLANDS complained that these Amendments were not on the Notice Paper, and hon. Members were quite unable to follow what was being done. In the peculiar circumstances in which the Government were now placed in regard to this matter, he would not offer any opposition; but he thought it should be remembered, when these Amendments were not on the Paper, that they had recently heard a good deal from the Government about the inconvenience of moving Amendments without Notice.

Colonel STANLEY expressed his regret that the Amendments were not on the Paper, and repeated his assurance that they were only of a verbal character to remedy defects in the drafting of the Bill.

Clauses 1 to 6, inclusive, *agreed to.*

Clause 7 (Repeal of Enactments).

Sir ALEXANDER GORDON asked to what extent this clause repealed the provisions of existing Statutes? None were named, and it seemed to him that if the matter were allowed to pass as it now stood, considerable confusion would arise. They had been told that the Act was passed to simplify the military law; but this clause would, it appeared to him, tend in the reverse direction, and that officers and soldiers would have need to refer to a good many other Acts of Parliament. He hoped the right hon. and gallant Gentleman could explain some of these matters in his reply.

Colonel STANLEY said, he was afraid it would take up too much time at that moment to explain all the Acts kept alive by the Bill. There were several instances in which Acts of past years had been affected or modified by the Mutiny Acts, and which were finally dealt with by this Bill. The provisions of this Bill were applied by a continuance Bill; but he thought he had stated all along that it bore a somewhat different form from what the annual continuance Bill had done, because it had been necessary to take up and weave into the existing Discipline Bill the provisions of all the Acts by which the Forces had been previously governed. He quite agreed with the hon. and gallant Gentleman that commanding officers would have to make themselves acquainted with some existing Acts, and he was now directing his attention to the matter. He proposed drawing up, with the Regulations, some memoranda as to what would be the effect of the Act. Of course, when these were completed, there would be no objection to lay a Copy on the Table of the House.

Sir ARTHUR HAYTER asked, what would be the effect of this Bill on the question of the trial of Volunteers by court martial? It was now provided that Volunteers should be triable by courts martial, composed of Volunteer officers and officers of the Regular Service; but by a Bill which had already passed its third reading in this House, and which was now awaiting decision in "another place," this rule did not prevail, and Volunteer officers were only triable by courts martial consisting of Volunteer officers alone. When the Bill was before the House, he drew attention to the subject, and the Attorney General distinctly informed him that the Army Discipline Act would govern all Volunteer Acts, including the Irish Volunteer Act then under discussion, so that Irish Volunteers would be tried by mixed courts martial. He should like to hear from his right hon. and gallant Friend the Secretary of State for War whether he still adhered to that decision?

Colonel STANLEY replied in the affirmative. He said, by Clause 7 of this Bill all other Acts which were inconsistent with it were superseded, and they would be still further governed by the regulations which they proposed to introduce.

Sir ALEXANDER GORDON said, he had not received an answer to his question. What he wished to know was whether existing Acts of Parliament referring to the Army were repealed, or were they still in existence. He would mention one instance. By the Militia Act, Militiamen were not liable to the punishment of death; but, under certain circumstances, and under the new Act which they had now passed, they would be. Was the clause in the Militia Act exempting them from the punishment of death repealed by the Bill now under consideration? He should have thought the reply to such a question might have been distinct.

SIR ARTHUR HAYTER said, he must also press for an answer to this question.

COLONEL STANLEY said, he could only once more explain that all these Acts were not repealed, except in so far as they were inconsistent with the express conditions of Acts passed at a later date.

MR. RYLANDS said, he thought every allowance ought to be made for the Government, and, therefore, he would not press them upon the point; but he thought another year they might be enabled to set forth the Acts which were repealed in a Schedule to the enacting Bill.

MR. ASSHETON CROSS said, the whole question would be practically dealt with by the Statute Law Revision Commission.

Clause *agreed to.*

Clause 8 (Prices in respect of billeting).

MAJOR O'BEIRNE moved to increase the amount of the marching allowance of officers from 2*s*. to 5*s*. per day. The present allowance was, he said, utterly inadequate to meet the necessary expenses on the march—in fact, it was an utterly ridiculous sum. He hoped to hear from the Government that they would take the matter into consideration.

Amendment *negatived.*

Clause *agreed to.*

House *resumed.*

Bill *reported.*

COLONEL STANLEY, on the ground of the great urgency of the matter, appealed to the House to allow the Standing Orders to be dispensed with in order that the Bill might pass through its remaining stages. This was absolutely necessary in order that the measure might receive the Royal Assent by Friday, when the old Act expired.

Bill, as amended, *considered;* read the third time, and *passed.*

BANKING AND JOINT STOCK COMPANIES BILL—[BILL 126.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson.*)

SECOND READING.

Order for the Second Reading read.

THE CHANCELLOR OF THE EXCHEQUER, in moving that the Bill be now read a second time, said: It is now some time since the Bill was introduced, and since it has been before the House I have received a great number of communications both from Members of the House and from other persons. I think there seems to be a very general agreement among those who are interested, so far, at all events, as the banks are concerned, that it is desirable to pass, without any further loss of time, a measure for the purpose of enabling those banks which are now unlimited to re-register themselves as limited banks. The House is aware of the nature of the inconvenience which has been found to arise in many cases from unlimited liability. One of the effects of it has been to alarm a good many persons who had hitherto been willing to take shares in banks, and who, being persons of substantial character, have, of course, been very desirable partners in those concerns, but who are alarmed at the possibility of their being mulcted of the whole or the greater part of their fortunes by failure, and are very anxious that the banks to which they belong should have the advantage of limited liability. It being perfectly well understood that those banks might originally have been registered as limited, but have been in point of fact registered as unlimited, it is now found that they cannot alter their position so as to obtain the advantages of limited liability. Therefore, the main point of this Bill was to enable banks in that position to convert their liability from unlimited to limited liability. Then it was a second point, that we thought it desirable, not merely to give such banks as might desire to avail themselves of it the power of limiting themselves on the principle of the Joint Stock Companies Act, which exactly limits the liability to the amount of the shares, but also to enable them to form themselves on the principle which would give them a certain fixed liability over and above the nominal amount of the shares. For that purpose we introduced into this Bill the system of what are called Reserve Liability Companies. Upon that question, upon the use of the word "Reserve," and upon the question as to what limitation there should be to the power of fixing the amount of reserve, and as to the means by which different kinds of banks should avail themselves of that power, there has been a certain amount of difference of opinion. I think, however, that the difference is not very serious in reality, and that by a little discussion in this House we should find that we could come to a satisfactory agreement upon the matter. Still, undoubtedly, it is a question of some interest, and not altogether free from disputable points. With regard to some of the other provisions of the Bill—as to the mode of publishing the accounts, and the auditing of the accounts, I think there has been in substance a tolerably general agreement that it was desirable to have provisions of that nature, although there have been a good many criticisms on the particular form of account in the Schedule of this Bill, and, no doubt, it is open to considerable improvement. There is one point in the Bill which has caused a considerable amount of anxiety, and even agitation, in certain parts of the United Kingdom; and I see by the Notices which are on the Paper that all the opposition which is offered to this Bill on the second reading comes, in fact, from those who are interested in the Scotch and Irish banks. The proposal in the 8th clause of the Bill, that the banks availing themselves of this Bill should be registered in that part of the United Kingdom in which they have their places of business, is one upon which there has been a good deal of feeling, and I must admit that very strong objections have been urged against it. I could not undertake, at the present time of the Session, to go into this large question of the Scotch and Irish banks. We know that, in 1844, Sir Robert Peel dealt first with the question of the English banks of issue, and in the following year brought in a measure dealing with the Scotch and Irish banks. I think, therefore, under the circumstances of the Session, and the character of the obstacles that stand in the way of the passing of a Bill of this nature, it will be better that it should be confined to England. I propose, therefore, to confine this Bill to England, leaving out everything we have proposed in the 8th clause with reference to the Scotch and Irish banks, and looking forward to next Session to be able to deal with the subject in a more comprehensive way, if it should be possible, with regard to the question of the Scotch and Irish banks. Under these circumstances, I hope that the House will agree to what I am about to propose—namely, that after the second reading, the Bill should be committed *pro formâ*, so that it may be re-printed with certain Amendments. The principal point which has been under consideration has been with regard to this reserve liability. I said, when we introduced the Bill, that we were not wedded to that particular title, and that I was ready to consider any other proposals that might be made to me on the subject. I am bound to say that my invitation has been very freely accepted, and a very large number of suggestions have been made, some of them wholly inconsistent with the proposal of the Bill, while others seem to me to vary very little from it. I am, therefore, prepared, subject to any decision in Committee as to the actual terms to be used, still to adhere to that title. The effect of it would be that we should have three classes of banks—namely, (1), limited banks; (2), unlimited banks; and (3), the reserve liability banks. I do not myself think that it would be very convenient to dispense with that third class. If you are to have a class of banks in which the liability should be not limited to the amount of the shares, and not unlimited, but something between the two, I think it is desirable that it should be distinguished by a separate name. But if it is to be so distinguished, then we have this point urged upon us. The unlimited banks say—"We may be ready to convert ourselves into reserve liability banks;" but the limited banks say—"We are not authorized by this Bill to turn ourselves into reserve liability banks, and, therefore, we may be in a position of some disadvantage." This objection of the limited banks has a great deal of force in it; and I, therefore, propose that power should be given to all classes of banks equally to avail themselves, if they choose, of this new provision. Then, comments have been made upon the definition, or rather regulation, in Subsection 3 of the 8th clause which defines the amount of liability. At present, it states that the amount of reserve liability attaching to each share should be regulated by the amount of such share, and should be a sum equal to, or some multiple of, the nominal amount of the share in respect of which it is payable. What I should propose would be to provide simply that the reserve liability should not be less than half the nominal capital. Then, there are certain unlimited banks which are in this position, that they have a very large nominal capital and only a small proportion of it paid-up, and they say—"If we were to turn ourselves into Reserve Liability Companies, there might be some difficulty as to what the amount should be;" and a wish has been expressed, on the part of some of them, that they should have the power of reducing their nominal capital. I therefore, propose, that some such clause as this should be drawn—that, at the time at which any bank now registered, either as limited or unlimited, desires to re-register as a reserve liability bank, it should have power to reduce its nominal capital to an amount not less than twice the amount of the paid-up capital at that moment. I think that will be found to meet the case of several of these banks. I will not, however, ask the House to discusss this suggestion merely upon a statement made *viva voce.* In accordance with what I have said, I think it would be convenient that I should be allowed to take the second reading of the Bill now, and put it into the shape in which I propose that it should stand, and then we will give time for its consideration when it is in print, and be able to have it discussed in Committee of the Whole House. If that course were adopted, I do not believe that it would take any excessive time to pass the Bill, and I think it would be for the advantage of the banking and mercantile community that such a Bill should pass.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

MR. ANDERSON: Mr. Speaker, I am very glad, indeed, that the Chancellor of the Exchequer has enabled me to dispense with moving the particular Amendment which I have on the Paper by his withdrawing the 8th clause of the Bill; but I am not quite sure that the mode in which he spoke of withdrawing it will enable me to withdraw all opposition to the Bill. If I understood him aright, he stated that he meant to drop Scotland out of the Bill altogether, and, in that case, I shall certainly oppose the Bill to the best of my power. I do not see why Scotland should be precluded from adopting the principle of reserve liability altogether. The proposal now made by the Chancellor of the Exchequer is altogether and completely changed from what it was in the first instance. Formerly, the proposal was that any bank in England, Ireland, or Scotland, might adopt the principle of reserved liability; and now it is to be left only to the English banks to adopt it, while neither the Scotch nor the Irish banks are to be allowed to adopt it at all. Under these circumstances, if I have understood the Chancellor of the Exchequer's proposal aright, I think it becomes the duty of the Scotch and Irish Members entirely to oppose the passing of this Bill. There is another method in which the Chancellor of the Exchequer might very well have altered his Bill, and so have given us what we wanted—namely, he might have simply dropped out the 8th clause and nothing more. That would have been a very simple thing to do, and would not have prejudiced anybody. That is a clause which was objected to as being unjust and inexpedient, as putting upon Scotch and Irish banks a most unfair disability, as attempting to rob certain banks of a certain amount of business which they have created, and which is of great value to them, without any kind of compensation being given. The 8th clause was in every sense an unjust proposal, and all that we ask is that the 8th clause should be dropped out of the Bill. If that is done, we would not ask for any other changes. At the same time, we would not object to others, and I am bound to admit that the change which allows a limited bank to become less limited is a very good change, and one of which I quite approve; and I think it is also very likely that the change in the amount of the reserve liability, not being a multiple, is also an improvement; but, as far as it is to be a privilege which is to be given to the English unlimited banks to take advantage of, and which is to be denied both to Scotland and Ireland, I feel bound to continue my opposition to the Bill just as much as before. I suggest to the Chancellor of the Exchequer that he should adopt this means of dealing with the question, and if he does so, I believe he would find the Bill would be passed with great facility; while, if it is not adopted, I believe we should be able to baffle him and prevent its passing, and I certainly shall do my best to carry this out. The Chancellor of the Exchequer says we oppose him in the interest of banks. Well, that is all very well; but I take my action in the interest of justice, and nothing else. I have no interest in any bank at all; on the contrary, I disapprove of the action of many of them.

THE CHANCELLOR OF THE EXCHEQUER: I did not intend to imply that the hon. Member was personally interested in any bank.

MR. ANDERSON: I simply want to say that I do not act at all in the interest or on the request of any Scotch banks; I act simply in the interests of justice, because the proposal to be made in the Bill was a thoroughly unjust one. I do not approve of the Scotch banks coming to London, nor of the Scotch banks having their monopoly almost intensified by their coming to London; but I disapprove of the principle of robbing them of the business which, under the law, they have established and created there. By coming to London, no doubt, they bring Scotch capital away from Scotland and employ it in London, and I cannot approve of their coming here to London and discounting at somewhere about ¾ per cent, while in Scotland they are discounting at some 4 or 5 per cent. I do not approve of Scotch capital coming here to be employed in favouring English merchants by discounting at ¾ per cent while Scotch merchants are made to pay 4 and 5 per cent. That is a wrong principle altogether, and one which I should be glad to see put a stop to. If their coming to London was the cause of that, I might have thought they should be prevented from doing so; but, unfortunately, they did it equally before there was any attempt to prevent them from coming, and before they did come. As an instance of that, I may mention that one of the Scotch banks lost a large sum of money by discounting some of the Messrs. Collie and Co's. paper, and at that time the Scotch bank that did so had no branch in London. I disapprove of them discounting here, because it enables them to keep up their charges in Scotland. Another change which I should like to see in this Bill would be to introduce a clause which should get rid of the bank monopoly in Scotland and enable us to have free banking there. The Scotch banks always talk very largely about free banking, and boasted of it in their Memorial to the Chancellor of the Exchequer; but they do not give us free banking, and we have not got it in Scotland. Therefore, I am in this position, that I want to prevent an injustice being done to the Scotch banks, while I do not approve of the Scotch monopoly which is established, and which I should be glad to see abolished. This, I am aware, cannot be done by this Bill; and, as the best that can be done, I, therefore, hope that the Chancellor of the Exchequer, in the present case, will agree to put all the banks in the United Kingdom on one footing by simply dropping out this obnoxious 8th clause, without dropping out either Scotland or Ireland.

MR. HERMON thought this Bill would be much more acceptable to the public if directors, who were paid officials, and those who signed the prospectuses, were obliged to incur a greater amount of liability than the shareholders. When they recollected that it was generally through the bad and careless management or the misconduct of the directors that misfortune ensued, he thought there was a good case for making the directors liable to the shareholders for the losses they might incur. If the Chancellor of the Exchequer would introduce some clause in the Bill to provide for the liability on the part of the directors, it would give greater security to the public, and the public would have greater confidence in the undertakings; while the directors, by the stake they had in the success of a company, would pay greater attention to its affairs, and, on the whole, would conduce to the success of the undertaking. He wanted the public to have the additional security and assurance that their interests would be regarded, and to feel that by the knowledge of the fact that the directors would be mulcted in accordance with the loss sustained by a company or a bank.

MR. FRASER-MACKINTOSH said, he was greatly disappointed at the Chancellor of the Exchequer's proposal to exclude Scotland from the operation of the Bill. If there was one part of United Kingdom which more than another required a reform in the principles of liability it was Scotland. At the present moment, many of the holders of bank stocks, particularly trustees and executors, in consequence of recent decisions by the Law Courts, felt themselves in a very awkward position. One of the objects of the Bill was, apparently, to force the Scottish banks to give up their business in London. But, whatever might be the faults of these institutions in coming to London, if there were a fault, it was not fair that they should be compelled to withdraw, as it were, by a side-wind, especially as such a proceeding was not necessary to cure the evils complained of. A deputation of a very influential character had waited on the Chancellor of the Exchequer to represent the case of some of the Scottish banks. He wished it to be borne in mind that it was not the case of the Scottish banks alone that had to be dealt with by the House, but the case of the Scottish people also; and the Scottish banks were, in many respects, at issue with the Scottish people. The latter had suffered by the closeness of the monopoly enjoyed by the banks, as well as from the unlimited nature of their liability. They had, therefore, rejoiced to think that, in connection with this Bill, they had an opportunity of bringing their grievances fairly and distinctly before the House. The main question, however, was the giving power to change from unlimited to limited liability, and he (Mr. Fraser-Mackintosh) would confine himself to it; and if the Chancellor of the Exchequer, after learning the expression of feeling which was pretty general among the Scottish Members, did not withdraw his proposal for excluding Scotland from the benefits of the Bill, he (Mr. Fraser-Mackintosh) would be under the necessity of pressing to a Division the Amendment which he now formally moved—namely, "That this Bill be read a second time that day three months."

DR. CAMERON, in rising to second the Motion, said, that so far as Scotland was concerned, the matter was not so easily dealt with as the Chancellor of the Exchequer appeared to imagine. It was an easy thing to drop out the 8th clause, intended to drive the Scotch Banks out of London; but the real difficulty of dealing with Scotland under these circumstances was that there were in Scotland another class of banks to which the Chancellor of the Exchequer had not referred, which had already their liability limited, but did not use the word limited as an appendage to their titles. There were the Chartered banks, which were already limited; but they did not require to change their name, and as long as they could dispense with the necessity of changing their name, the other banks could not afford to make a change which would lead the public to consider that they occupied an inferior position. The Chancellor of the Exchequer had dealt with the matter from a far too exclusive London point of view. When he came to deal with Ireland, he would find the same difficulty staring him in the face as that presented in Scotland. In Ireland there were also banks limited by Royal Charter, and unless the Irish banks were very different from the Scotch banks, the Chancellor of the Exchequer would have to find some other means of dealing with them. In the present Bill, three subjects had been dealt with in a very fragmentary and unsatisfactory manner, and the one subject which called most urgently for the Government to grapple with it had been left untouched. With regard to the proposed method of limitation, as he had explained to the House, it was a method which might be popular, and which might be adopted by banks here, but which could not be adopted in Scotland, and could not be adopted to any great extent in Ireland. That was one unsatisfactory feature in the Bill. He did not know whether under the Bill the right hon. Gentleman proposed that the reserve liability banks should be obliged on all occasions to parade the title of reserve liability after their name. Might he ask the right hon. Gentleman if that were so? [The CHANCELLOR of the EXCHEQUER: Yes.] It seemed to him (Dr. Cameron) that a very simple way out of the difficulty was open to the Chancellor of the Exchequer. He could not see why it was necessary to maintain the word limited at the end of the title of a limited liability company. It was simply misleading. The great majority of the limited liability companies at present in existence had not that word appended to their names. There were railway companies which were limited; water companies, gas companies; and there were also a large number of banking companies which were limited without the necessity of having the word limited attached to their title. That was the case of three or four Scotch banks; with the Bank of Ireland; in fact, it was so with all the Chartered banks. As to the new proposal of limitation by reserve, it was really nothing more than that proposal contained in the Act of 1862, which provided for limitation by guarantee. But he was told that an interpretation of the law had been given to the effect that limitation by guarantee was personal only, and did not extend to future shareholders. That, however, was a difficulty which could easily have been got over by a short Declaratory Clause. He did not wish to attach any great weight to this point. What he did object to in this proposal was, that it introduced another form of liability to the already too complicated form of limited companies. There were already a great number of limitations, and now it was proposed to establish a limitation by reserve. It was quite impossible for the public to thoroughly understand how the liability of any given concern stood, and this was especially the case with the Chartered banks. He had, some time ago, desired to get a Return bearing on the subject, and he was told that the Charters were public documents. He had the curiosity to go to the Record Office for the purpose of investigating them. He found that the Charters were wound up in long rolls, and were of such a great length, that they could not possibly be completely examined in any office of ordinary size. When they had found out what they wanted in a particular Charter, they might probably find themselves referred to some provision in an earlier one of, perhaps, equal length. The system was so complicated and cumbrous, that they might spend a week in finding out the precise measure of limitation of a given bank; and yet it was now proposed to add another complication to this already far too complicated system. As to the liability of the shareholders, he was at one with the right hon. Gentleman the Chancellor of the Exchequer. He agreed with him that unlimited liability occasioned a danger of frightening good shareholders out of the proprietary of banks. But the difficulty of both Scotch and Irish banks would be met by doing away with the necessity of using the word "limited" after the title; and this proposal would equally meet the requirements of England. There was one point painfully brought out in connection with the failure of the City of Glasgow Bank, and which ought to be dealt with in any Bill attempting legislation on this subject. Over and above the note issue authorized to the banks in Scotland and Ireland, the banks were allowed to issue any amount of notes on condition that they held a reserve of gold against that issue. Under the Bank Act of 1844, the Treasury were empowered to inspect the gold reserve. He did not know whether they ever had done so—["No!"]—but, at all events, when the City of Glasgow Bank came down, it was discovered that the gold was not there. Mark the effect of the system! You put a positive premium on false returns, and took no means to check it. If a bank kept half-a-million of gold against half-a-million of notes issued, they gained nothing by it; but if they did not keep it, they netted £25,000 a-year by the transaction. Any Bill in this direction should take steps to make this supposed security a real one, and not, as at present, a mere temptation to make false returns. Another important point was this. If the bank had gold in hand when it came down, it now appeared that that gold was part of the general assets, and was no more applicable to the redemption of notes than the bank building. This was a subject that ought to be handled in a banking bill, for it was of the utmost importance to the public interest. With regard to the proposed system of audit, that had been the feature in the Bill which had recommended it to the benevolent consideration of the public out-of-doors, yet, if the public out-of-doors only looked at the thing, they would see that there was not a greater fallacy, delusion—a sham, if he might say so—than the audit proposed by the Bill. Nine-tenths of the banks at present had all the audit they would have under the Bill, but no one was the wiser for it. The radical defect in the present system was that the auditors were the nominees of the directors. He did not mean to say that they would willingly pass false returns, but they did not examine fully into the accounts. Things were made pleasant, and they found their salaries paid the more willingly the less work they did, and an audit took place which was popularly known as the "sherry-and-sandwich" audit. This Bill provided for a little extension of that sherry-and-sandwich audit, and nine-tenths of the banks had that audit already. He did not mean to say that auditors were not nominally in Limited Liability Banks appointed by the shareholders; but, in almost every case, the directors held proxies and controlled the appointment of auditors. The next provision in connection with this point was the publication of accounts. There was nothing more important for the security of the public than the publication of detailed accounts. Nothing that could be devised allowed the public so good an opportunity of knowing whether a concern was rotten or sound as a detailed, a minutely-detailed, system of published accounts. But statements of the kind proposed by the Bill might have been published by every one of the banks that had come to grief within the last 12 months without anybody being much the wiser. How was the City of Glasgow Bank brought to grief? Millions of money were given to some half-a-dozen different persons. The bank held its own shares to an enormous extent, thereby increasing the liability of its outside shareholders, and bolstering up the shares to a fictitious price, which utterly misled the public. Would a form of the kind proposed by the Bill have disclosed this? Not in the least; the bank would have come out of the ordeal equal to the best in the country. What was there to prevent banks being required to show how many of their own shares they held, and why not compel them to state how many debtors they had over a certain sum—say, £100,000 or £150,000? If that had been done, there would have been few cases in which the banks which had come to grief would not have been pulled up long before they really collapsed. Another and still more important point in connection with the City of Glasgow Bank was, how did it invest its money? Why, in Government and other securities. But the "other securities" embraced wholesale investments in Australian Land Companies and American Railway mortgages, which were utterly unmarketable. Why not make it a necessity that there should be a detailed statement of these? Half-a-dozen banks already did this without any pressure. There was the Birmingham Joint Stock Bank, a perfect model in that respect, which issued details of every security held by them. The next example he would give as illustrating his position was the unfortunate Caledonian Bank, which came to grief through no fault of its own, but owing to a piece of carelessness which, but for the calamitous consequences, would have been thought venial. It held four shares of the Glasgow Bank. Now, if they had been compelled to publish a detailed list of securities, did they not think that almost to a moral certainty this would have been prevented? It held shares in most of the Scottish Banks, as well as the City of Glasgow. Its balance sheet would have been examined; anyone would have seen the risk; there would have been no inducement to leave money in such investments. The directors' attention being called to the fact that if any single Scottish bank failed, the Caledonian must be brought down, the bank would have been saved. Again, take the case of the West of England Bank. If it had been necessary to publish a statement of the number and amount of accounts of over £100,000 or £150,000, it would have speedily been known to what an extent the money in the bank was locked up. If it had been necessary to publish a detailed list of securities, shareholders and the public would have known how deeply they were bound up in the Aberdare aad Plymouth Ironworks scheme. Take two other banks, both, he was happy to say, still going on, and likely to, but which had had significant warnings as to the necessity of looking into their accounts. The Oriental Bank not long ago stood in a ticklish position. Their shares suffered a severe fall, and it came out that the bank held, classed among their "other securities," a large quantity of Chilian bonds, and it further came out that not sufficient allowance had been made for the rates of exchange. Why not require banks to state the rate of exchange at which they took foreign money in their published accounts? Again, the Chartered Mercantile Bank of India suffered a severe drop in its shares shortly after the events in connection with the Ottoman Bank to which he had referred, and it then transpired that the bank had speculated extensively in silver, and held silver to an enormous value. The silver had fallen heavily; but nothing to indicate this appeared in the accounts, which were rendered still more misleading by the valuation of the rupee at much above its real price. And yet, with the Bill before them in operation, the Government balance sheet might have been filled in without the public receiving one additional ray of information as to the real state of things. For all the reasons he had given, the Bill seemed to him a very weak Bill altogether. The addition of the audit clause, and the publication of accounts, which made the Bill go down with the public, were really hardly worth the paper they were written on. Certainly, in the case of nine banks out of ten, as at present existing, they would not improve matters in the slightest; and to show the perfect absurdity of the proposition, it was only necessary to point out that this audit and publication of accounts did not extend to all banks—not to Chartered banks, not to ordinary limited banks, but only to those that might register themselves as limited by reserve, and to such banks as might be established after the passing of the Act. Other proposals in the Bill were harmless—they might have the effect of postponing effective legislation for some years to come—but probably that would be the effect under any circumstances. But, altogether, the Bill was brought in in a shape so as not to apply to that portion of the Kingdom where there was the most necessity for it. In England they had numerous limited liability banks and Chartered banks, and though they had a large number of unlimited ones—even the Bank of England was limited—in Scotland the number of unlimited banks was excessively great. But if the Chartered banks did change their title, the other banks would not. Why not adopt his suggestion that the law should stand so that every bank throughout the Kingdom should act as seemed best without consulting its neighbour? Why not do away with the necessity that existed for a fraction merely of limited banks to append limited to their name? It seemed to him that, as a matter of fact, the larger number of limited companies at the present moment did not require to use the word limited after their name. What, then, was the necessity of keeping up a false presumption that every company not ear-marked as limited was unlimited? It was only this that prevented the whole thing being settled in a single clause in a way that would satisfy all English banks, while it would allow Scotch and Irish banks to come under it. Under the circumstances, he was inclined to second the proposal to reject the Bill with more warmth than it was proposed by his hon. Friend.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months." — (*Mr. Fraser-Mackintosh.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR JOSEPH M'KENNA admitted that much of what he was about to say would be applicable to a Motion to reject the Bill. He hesitated, however, to condemn it altogether, so long as the House had the power and disposition to make it suitable to the circumstances of the country. He would be wasting time, if he were to enter on details to prove that the Bill was simply one outcome of the failure of the City of Glasgow Bank. He apprehended that there would be no serious contention on that point, and he would rather trust to the common sense of the House to concur in that proposition—namely, that the movement of the public mind which led to this attempt at legislation was occasioned by the panic or uneasiness consequent amongst shareholders of the unlimited banks on the failure of the City of Glasgow Company. The next consideration was to inquire what would have been the effect in the case of the failure of the City of Glasgow Bank if such a measure as that before the House had been passed by Parliament four or five years ago, and had been availed of by the City of Glasgow Bank two or three years before its failure? He would repeat that question in another form, for his main argument largely turned upon it. What, he would ask, would have been the effect, what would be now the state of things, if the Glasgow Bank had, two or three years ago, availed itself of such a law as that which they were asked to pass? The answer was simple, that it would have varied and extended the area of desolation. It would have left almost scathless many wealthy men who had reaped large profits by the bank, and it would have impoverished an immensely greater number of persons who would now, as creditors, be paid in full. Who was to assess which result would be the less calamitous? No one could show that this measure could make banks more prudent than hitherto; and, as it could not do so, it could only vary the incidence of loss whenever a calamity occurred; it could only do this by shifting the burden of loss from those who were entitled to the profits, and by casting it on creditors who, as matters now stood, were tolerably safe from any such overwhelming calamity. As it happened in the present case, all this was capable of exact demonstration. What had occurred in the case of the City of Glasgow Bank might occur in the future in some other equally extensive bank after this Bill had become law. The capital of the City of Glasgow Bank was £1,000,000 sterling paid up. It failed in October last. Its constitution was one of unlimited liability. Let them now inquire what amount of reserved liability it should have provided for, in order to meet the claims and pay its creditors in full. The amount of reserved liability which should have been provided for in order to enable the liquidators of the City of Glasgow Bank to pay 20*s.* in the pound to their creditors should have been £27,500,000, and this notwithstanding that the total deficiency of assets to meet liabilities was £7,000,000 only. Let hon. Members reflect on what actually occurred in the Glasgow Bank case. The first call made by the liquidators was £500 for each £100 share. That call would have exhausted a reserve liability of a multiple of five times the actual capital—that was to say, a reserve liability of £5,000,000; but that call, though quite sufficient to impoverish a great number of the shareholders, fell lamentably short of what the circumstances demanded; so a second call had to be made of £2,250 in respect of each £100 share; and even when this was done an appeal to the creditors had to be made to accept something short of 20*s.* in the pound. The next question was, what would have been the consequences to the creditors of the City of Glasgow Bank if it had been a reserve liability bank, with a reserve capital equal by computation to a multiple of five times its actual capital? Would they not have been disastrous? Had the right hon. Gentleman made up his mind that it would have been better, on the occasion of the failure which occurred, that the calamity should have fallen broadcast over Scotland, rather than that it should have fallen in the pitiable manner they knew of on the unfortunate shareholders? For his own part, he (Sir Joseph M'Kenna) believed that the greater evil had been averted; for if the thousands of creditors—a body immensely more numerous than the shareholders—had to suffer, distrust would have spread to all other credit institutions, and the evil effects would have been felt in this country, and in Ireland, perhaps, as much as in Scotland. There was another consideration which weighed on his mind, to which he would ask attention. No attempt was made in this Bill, either to limit the amount of indebtedness a bank might incur or the amount of dividend it might declare. But the solvency of a bank, and of banks generally, could only be maintained by continuous attention to the amount of actual indebtedness, and its ratio to the paid-up capital, and by taking care that the dividends did not exceed actual profits, which could only be done by accumulating a fund out of apparent profits sufficient to cover the risk on current business in the worst of seasons. The Bill before the House touched none of these points, and yet he ventured to say they were as pressing and as important to the community at large as were those interests which the framers of the Bill desired to safeguard. Why should a trader, whether an individual or a Company, be allowed the privilege of contracting an unlimited amount of debt, and of dividing an unlimited amount of profit on the basis that he or it was unlimitedly liable; and then suddenly, when the business was in full swing, be allowed to restrict his liability for the future, without having placed upon him or on the Company any restriction whatever as to the extent of his or their future indebtedness, or as to the degree to which they might year by year deplete their estates by inordinate distribution of apparent rather than of real profits? He was prepared for a certain species of answer to this question. He would be told that the present Bill proposed to leave all present creditors in the position which they now occupied of having their recourse as against shareholders of an unlimited Company; and that if they, the creditors, were to be placed in a different position with respect to future deposits, they must be presumed to know the law, and to take knowingly, with the inferior security—to take the consequences. But was this really so? Well, all of them knew what had been done. Was it not of the very essence of this legislation that it was intended to enable banks to limit the liability of their shareholders, and yet avoid being classed as limited liability banks? The existing creditors of the bank undergoing transformation were to have no formal notice of what was being done. It was to be inserted in *The Gazette* and in a newspaper; and the creditors would be told, probably at the same time, by the same newspapers, that they were all quite safe, for the Act did not limit the liability of the bank to existing creditors. He would now explain how all that would work. The period of vigilance being once passed, the depositor would come in at the end of the half-year to get the interest on his deposit. The old deposit and interest would be paid him in the usual *pro formâ* way, and he would get a new receipt for his principal money, possibly of the same amount, possibly for more or less than the old receipt. Whereupon the protection of the 5th section—sub-section 5—of the Bill was wholly gone, and the depositor would stand henceforth as a creditor, with inferior security, but without any consciousness of the change. He did not object to the limitation of the liability of the shareholders, if those concerned as creditors were made to understand exactly what was being done, and expressly consented that the nature of the obligation of the shareholders should be radically altered. There was nothing in the Bill to provide that such notice should be given. He had explained how the thing would actually work. There were numerous deposits in all the large unlimited liability banks, which were, in an equitable sense, unchanged for years. Nevertheless, there were scarcely any which were, in a strictly legal sense, more than a year old; and for this reason they were, for technical convenience, continually being paid off and re-lodged, sometimes re-lodged with additions, sometimes only partly re-deposited. He wanted to know what provision was made that the creditor, who would pursue in the future the system he had been accustomed to do in the past, should know that a radical, and possibly a fatal, change had been effected in the character of the security on which he had relied? There was no such provision in the Bill. Quite the contrary. The 7th section of the Bill was that which prescribed the process whereby an unlimited bank might be transformed into a reserve liability company. It dispensed altogether with that species of intelligible notice which a Court of Equity would prescribe before it permitted any individual debtor to divest himself of liability to his creditor in whole or in part. All that was required in the way of notice was an advertisement in *The Gazette*, which few ever read, and the publishing an advertisement for four weeks in a local newspaper, in which it might so happen that there would appear contemporaneously an article to inform its readers that the change in question was a formal matter, which did not affect existing depositors, no matter how long they might keep their money on deposit. He wished the House to bear in mind that the local paper which published such an assurance would be only stating what was literally true, and yet essentially misleading; for, as he had already explained, the 5th sub-section of Clause 5 provided that the limitation of liability should not apply to any debts or liability of the Company contracted prior to its registration. This was the dangerous sedative which would be made use of to lull all apprehensions until the transition had been accomplished. Custom and routine of business would do the rest, and no one—perhaps he should rather say very few — would appreciate what had been done, or forecast the results, until a bad season produced a crash entailing a far more numerous set of victims than even the failure of the City of Glasgow Bank produced amongst its shareholders. He could not see any sufficient reason for all this. Either the banks were safe, or they were not. If they were safe—that was to say, if the paid-up capital and the general assets of a bank were sufficient to enable it to pay its way—no harm could be done by allowing the shareholder to remain in the position he elected to occupy until he removed himself in the ordinary way. But if the banks were not safe, that was the very opposite to a valid reason for allowing the shareholders to divest themselves of their liability in a new and abnormal fashion. There were, however, some who said that the shareholders generally of a bank could not know for certain whether the banks were safe or not, and they—or so many of them as were good for anything—would sell out their shares if they could not limit their liability, and thus a less solvent class of shareholders would replace the present, and they would have a class of shareholders in future from whom, in case of emergency, less could be recovered than might be obtainable on the plan now proposed. He (Sir Joseph M'Kenna) doubted this altogether, and was quite convinced that it was wholly erroneous. There was no evidence—literally none whatever—to lead to any such conclusion. But, under the present system, let this be borne in mind—they had the security, such as it was, that the directors, who must be shareholders, were unlimitedly liable. Every director of an unlimited bank now knew that he was liable to his last farthing in the world, not merely for his own default, but for the misdeeds of his colleagues, if he trusted too much to them, and if they, from ignorance or otherwise, brought about a catastrophe. Were they about, also, to diminish the responsibility of directors? The present Bill, unless his (Sir Joseph M'Kenna's) Amendment to continue the unlimited liability of directors were accepted, would utterly sweep away the main source of such security as they had at present. If the present Bill were passed into law as it stood, they would have in the future directors of banks which had millions and scores of millions of money divesting themselves of all but the merest fraction of liability for the obligations which they had contracted. The directors of a bank ought to remain unlimitedly liable. They had the best means of knowing whether the Company was in a sound or a dangerous condition. If they did not really know, they were unfit for their position—they were blind guides, and worse than blind guides, if they assumed to discharge the duties of an office in which vigilance was as indispensable as honesty. If some such condition as this did not apply to directors, he would regard the Bill as creating a new danger.

MR. HEYGATE said, he had heard with considerable regret the remarks of the hon. Member who had just sat down; because he was sure that the Bill, in the modified form proposed by the Chancellor of the Exchequer, would meet a grievance which had been very generally felt, and that it would be very gratefully received by a large portion of the commercial community of the country. He thought the Chancellor of the Exchequer had done a very wise thing, after the last discussion, in eliminating that portion of the Bill which related to Scotland and Ireland. Let him remind hon. Members from Scotland and Ireland that no injustice whatever was done to them by the Bill being passed in reference to England alone. It would leave them in just the same position as they were before, and they would not be damaged in the slightest degree. Next year, if the Chancellor of the Exchequer proposed to attack the issuing power of Scotch and Irish banks as had been suggested, it would be found that English Members would be quite ready to come down and lend their assistance in opposing such a proposal; and he thought that Scotch Members would do very unwisely in attempting, at the present moment, to prevent England from obtaining what she wanted, merely because their own desires could not be quite satisfied. Such conduct would be a "dog in the manger" policy, and would do no good to either party. In the form the Bill would assume when it came to be amended in Committee, it would confer upon the shareholders of English banks a simple act of justice. Those shareholders did not ask for any special privilege or favour. What they did ask for was that an unintended disability should be removed. A law was now in existence which enabled all banks to adopt limited liability; but by one provision of that law those banks, which had been registered under it for some minor purposes, were unable to be re-registered so as to obtain the benefit of limited liability. It was not a matter of favour or of generosity that was sought. What was asked for was, that that which was the result of accident and which occasioned what he had called an unintended liability should be removed. He would not follow hon. Members who had spoken through the details of the Bill; but was willing to admit that what had been said as to the auditing of accounts and the liability of directors was well worthy of consideration when they reached the Committee stage. He was no great believer in the safeguards which had been suggested, or in the possibility of the Bill providing against all danger of loss. He quite agreed that it was necessary, as had been argued, that "the public should be kept safe;" but what was required for true security was a solvent set of shareholders and a solvent and honest set of directors. The public would be much safer in having to deal with a substantial proprietary and directorate of a bank of limited liability than they would in the case of a bank of unlimited liability, the shareholders of which would, perhaps, be nowhere when calls were wanted. After the fearful disclosures that had lately been made and the panic which resulted from them, he did not think they would be able to retain or secure the substantial and solvent class of shareholders and directors which was desired if unlimited liability banks were not allowed to be registered, so as to limit the liability of their shareholders under the Joint Stock Companies Act, pursuant to the provisions of the Bill. He hoped that hon. Members from Scotland would not interpose in the way of a measure which was very much desired in this country, which would be simply an act of justice, and which certainly would not be in favour of any particular class, but for the general advantage of the community.

Mr. RATHBONE considered it very desirable that the Bill should apply to the three countries alike; but those who had listened to the able speech of the junior Member for Glasgow (Dr. Cameron) must have perceived the difficulties there were in the way of carrying out legislation on the subject in Scotland. The right hon. Gentleman, however, had promised to bring in a Bill to deal with the banks of Scotland, and he hoped the Scotch Members would not prevent the Bill being passed, but would give the measure under consideration the best support they could. He must say that any Committees he had sat upon for England had impressed him with the opinion that if they could bring the practical mind of Scotland to bear upon any one question a practical solution of it would be worked out of much benefit to England. When they heard from the junior Member for Glasgow how many difficulties there were as affecting the Scotch banks, one could not but think that the Scotch banking classes, if they would devote some time to the consideration of the whole subject, and give the Government the benefit of their deliberations, would work out an example which would be of the greatest advantage to the whole country; but, supposing this were not practicable, and that the Chancellor of the Exchequer saw a chance of dealing with the Scotch system at present, then he had a suggestion to make which would facilitate dealing with the question in Scotland, and make their banking system much sounder. By Clause 9, those banks which were banks of issue as well as of deposit, were allowed to adopt a limited liability on reserving an unlimited liability for notes of issue. That did not appear to be the right way of dealing with the question. He was quite sure that anyone who had been watching banks must have felt that there was a great danger in the present system of issue by private banks. When the power of issue was given to those banks a great many of them were very different from what they were now. A bank might go on, wealthy partners might retire from it, and the talent which previously carried it on might disappear; but still the bank might go on with its peculiar privilege of issuing notes not possessed by other banks. Now, supposing some of these banks, becoming weaker, and less well managed, and hanging by a thread, were to stop in such a time of crisis as last autumn? What would be the effect? There would be a crisis of the general banking system. Now, it seemed to him, when any of these banks desired to possess a new privilege, they had a right to ask that they be put upon a safer footing; and he contended that no bank should be allowed to possess this especial privilege (except the Bank of England, which gave security) without depositing with the Government, as in some other countries, Consols for the amount of the entire issue. Look what a great danger that would remove. If everybody who held notes—and those who held notes were the least informed part of the community, and most liable to make a rush on the bank—if they knew that there was Government security for every note they held, the danger of a run upon issue banks for payment of notes would be absolutely done away with. That great danger would be avoided. He believed a measure of this kind would be popular, being a security both to the banks and the people, and the 3 per cent that the banks would get on their Consols would pay them. This he ventured to throw out as a suggestion to the Chancellor of the Exchequer, as a sounder and safer mode of dealing with the banks of issue which desired to become limited. There was only another point to which he wished to advert—the question of the balance-sheets. Now, he confessed he did not place unlimited confidence in the issue of a balance-sheet; but, surely, the system ought to be one under which sound information should be afforded. If they were to issue a balance-sheet, they ought to make it thoroughly good; and he ventured to suggest to the Chancellor of the Exchequer, as a model, though it might not be perfect, the balance-sheet recently issued by the Union Bank. It gave an amount of detail not at unreasonable length. Such balance-sheets ought to issue at least every time the dividends were paid, and if the accounts were obliged to be verified by a certain number of directors — if they were verified by the signatures of a certain number of directors that they themselves had examined the securities, and that they were as stated, there would be some security as to the genuineness of the information, especially if such a statement were in the form of a statutory declaration, so that in case of intentional concealment, or culpable negligence, an indictable offence would be committed. He had no desire to detain the House on this important subject; but he thought the suggestions he had made were such as might be taken into consideration by the Government.

MR. GARFIT said, that he apprehended the main object of the Bill was to enable unlimited Joint Stock Companies to carry on their business with a degree of limited liability, and it appeared to him to be a matter for regret that so many other questions which had nothing to do with the subject had been imported into the debate. It seemed to him that the House would have done better to confine itself to the object of seeing whether unlimited banks ought to be enabled to carry on their business as limited banks. He confessed that to him the Bill would not be a simple or a complete Bill unless Ireland and Scotland were included in it. With regard to that particular point as to Scotch banks coming to London, he thought they might be left in the same legal position as they were at present. If they had a legal right to be in London, let them remain there, always taking care that they did not issue in England, and that other banks were not allowed to come.

MR. M'LAREN said, that in the expectation that the Bill would come on as originally proposed, he had given Notice of the following Motion:—

> "That the compulsory exclusion of Scotch Banking Corporations from the right to carry on certain departments of their business in London by means of branches established there, would be a violation of the fundamental articles of union between the two kingdoms."

The Chancellor of the Exchequer had, however, proposed very important alterations, especially with regard to the position of Scotland. He had listened with great attention to the speech of the hon. Member for Boston who had just sat down, and he believed that he would be able to approve of every word that that hon. Member had uttered. He had pointed out what was the right way to legislate in regard to joint-stock banks —namely, that the principle to be pursued was that what was good for England was good for Scotland and Ireland, and that what was bad for England was also bad for Scotland and Ireland. The hon. Member for Leicestershire (Mr. Heygate) seemed to think that Scotch Members were asking for special privileges for Scotland. Nothing could be more erroneous. No Member for Scotland had asked for any special privilege. They only asked that the Chancellor of the Exchequer, in leaving out many clauses, should also leave out the 8th clause. If the Chancellor of the Exchequer would leave out the 8th clause, and let the Bill apply to Scotland, then they would be perfectly contented. They would then offer no opposition to the Bill, but would endeavour to arrange all the clauses, and to come to terms in an amicable spirit, dealing equally with every portion of the United Kingdom. He held that the plan which had been proposed by the Chancellor of the Exchequer was altogether opposed to the spirit of the Act of Union between England and Scotland. When they were brought together to negotiate the Treaty of Union as a United Kingdom, Scotland demanded and was given the right of trading equally with England abroad, in London, or in the Colonies. They insisted upon that as a fundamental principle, and that fundamental principle the Chancellor of the Exchequer's plan now proposed to do away with. When Commissioners were appointed to negotiate the Union of the two Kingdoms, it was first of all agreed that all proposals were to be put in writing, and the Minutes were to be found in the Library of the House. The Scotch Commissioners commenced by laying down three propositions—one with respect to the Crown, the second preserving the Church, and the third requiring equal rights of trading to all parts of the United Kingdom and the Colonies of England. The English Commissioners wished to keep these principles apart, and would have left out the third for future consideration; but the Scotch Commissioners objected to this, and would have the three principles conceded together, first of all, and they were thus agreed to. Now, here was a Bill which did not acknowledge that great principle of entire freedom of trade. The Chancellor of the Exchequer proposed, as regarded England, that he would, during this Session, allow all the banks to do certain things; but that, as to all the banks of Scotland and Ireland, they were not to be allowed to do the same things. The Chancellor of the Exchequer said that he would, next Session, bring in a Bill for Scotland and Ireland, and he had not the slightest doubt of the sincerity of the right hon. Gentleman; but it was one thing to bring in a Bill, and another thing to pass it, as they knew by sad experience. Well, this Bill for England would be passed; but the Bill next year for Scotland and Ireland might not be passed. The question would come up, why should this be? They asked for no special privileges whatever for Scotland; they asked for Scotch joint-stock banks to be allowed to do whatever English joint-stock banks were allowed to do, and with that they would be quite satisfied. That was so reasonable that if it were the intention of the Chancellor of the Exchequer to bring in another Bill, he must put the Scotch banks on the same lines as the English banks would be put by this Bill. But, in doing so, he would be incurring an enormous amount of labour, and wasting a deal of time, by discussing another Bill on the subject, when he could accomplish all by simply leaving out the 8th clause, and making this Bill to apply to all parts of the United Kingdom. The Chancellor of the Exchequer had not said that he would bring in a Bill on exactly the same lines —for anything they knew, he might bring in a Bill saying that the Scotch and Irish banks might have all the advantages which the English banks had, provided they would agree not to carry on their business in London. Where would they be then? England would have advantages which Scotland would not have. He held that that would be most unfair. Many Bills, it was true, were passed specially for Scotland, relating to feudal rights, questions of Scotch law, sheriffs, and all sorts of things; and in some matters the phraseology of an English Bill would not necessarily apply to Scotland. But in this Bill they were dealing with modern legislation, and the clauses would apply as well in Edinburgh as in London, and there was no apology whatever for not having the Three Kingdoms dealt with in one Bill if the Government really intended to introduce a similar Bill next Session applying to Scotland and Ireland. Some home hon. Members seemed to think that the speeches against the Bill were necessarily intended to bring about the insertion of clauses to remedy the effects of the recent failure; but no hon. Member had asked this. All they asked for was uniformity of legislation, and with whatever that might be they would be content. But still it was quite proper that the evils of the present system should be pointed out, and he would just mention one or two of them. He did not speak for the Scotch banks, but for the Scotch people. He spoke against monopoly, for the Scotch banks were the greatest trades unions in existence. A committee of three managers of banks in Edinburgh met, and decided what the rates of interest and for discounts should be, and all the banks, though not represented at the meeting, were bound by that small junta. The 11 banks of Scotland were practically one bank—not for the people of Scotland, but against them. He said that to show that he had no sympathy with anything done merely in the interests of the banks; but he had great sympathy with the people of Scotland. The state of matters was this. No new bank could possibly establish itself, and hence the monopoly. One reason of this was that the Bank of England had established no branches in Scotland. It had gone to Newcastle; but it had not gone to Edinburgh. It should have gone to Edinburgh, Glasgow, and other large towns, and then new banks would have been established issuing Bank of England notes. New banks were not allowed to issue bank notes of their own, and they had no means of carrying on their business, because they had not the Bank of England to fall back upon. They could only depend on other banks, and issue their notes, and this was to place themselves in a secondary and a humiliating position. He hoped that some day the Chancellor of the Exchequer would see his way to bring in a Bill, and carry it through, to abolish the monopoly which now existed to the great injury of the people of Scotland. He would now say a word about reserved liability. He spoke with diffidence; but his impression was that the Chancellor of the Exchequer had made a mistake in agreeing that a reserved liability would be obtained by increasing the liability by one-half of the paid-up capital. He understood the right hon. Gentleman to say that if a bank of unlimited liability had a capital of £1,000,000, it might secure a reserved liability by increasing its capital to £1,500,000. If he were right in that understanding, he thought the £500,000 was far too small a sum. In the case of the unfortunate City of Glasgow Bank, its capital was £1,000,000; the shareholders numbered 1,200; but it had 50,000 depositors. Sympathy was felt for the 1,200 shareholders; but no sympathy was shown in the Bill for the 50,000 depositors. If that had been a Limited Liability Bank, the result would have been that the other property of the shareholders would have been saved; but the 50,000 depositors would not have got a penny. No doubt, it was a very great hardship that the liquidators had called up 27½ times the amount of the shares of the bank, so that every man who had £1,000 worth of shares was called upon to pay £27,500 to meet the liability. The failure of the Glasgow Bank was a very great calamity—the greatest of the kind that had ever occurred in the United Kingdom. But what might have been the case? Suppose the gentlemen who, it was believed, were able to pay, had not been liable to calls, what would have become of the 50,000 depositors and other creditors? Would not the hardship have been still greater for them? With the directors and shareholders it was practically a system of gambling, and if the gambling succeeded they got the profits; but if it failed they would, under the Chancellor of the Exchequer's suggestion, lose nothing but the capital. He pressed upon the Chancellor of the Exchequer that when a bank had a paid-up capital of, say, £1,000,000, and an enormous number of depositors, the bank should not be entitled to a reserved liability freeing them from all consequences if they merely became bound for an additional capital of £500,000. It was an unjust proposal—unjust to the people—and it ought not to pass. A good deal had been said about the chartered banks, and that their liability was restricted. He knew that the opinion of Scotch lawyers was that the liability of chartered banks was a restricted one, and that they were free from all liability beyond their capital; but that question had never yet been decided in a Court of Law, either in England or Scotland. The Courts of Law in Scotland had held, by eight Judges against four, that trustees were not liable as shareholders, and one of the eight was one of the most distinguished men who ever sat on the Scotch Bench—Lord Colonsay; but the Lord Chancellor, on an appeal to the House of Lords, threw the opinion of eight Scotch Judges to the winds, and so it might be with respect to the assumed non-liability of the chartered banks, if the question ever came to the House of Lords. He cordially approved of the Motion that the Bill be read a second time that day three months, unless the Chancellor of the Exchequer would modify his proposal, and agree, in addition, to leave out all the clauses he had mentioned; also to leave out the 8th clause, and make the Bill apply to the whole of the United Kingdom.

THE CHANCELLOR OF THE EXCHEQUER said, he thought the discussion had mainly turned on the point to which it was likely to be drawn, according to the Amendments placed on the Paper; but it had taken a somewhat different range from that which it would have taken had it not been for the announcement which he made at the beginning of the debate. The point which had been urged both by the hon. Member for Edinburgh (Mr. M'Laren) and others who had spoken on the subject seemed to be this—that it would be desirable, and in some degree necessary, that they should deal with the United Kingdom as a whole in the matter of banking. He was quite prepared to say that, in the abstract, that was a very sound proposition, and there was nothing he should like better than to be able to deal with the United Kingdom as a whole; but hon. Members from Scotland and Ireland should consider what that implied. It implied a great deal more than the mere passing of a Bill of the character of that before the House. There were great differences between the banking systems of England and Scotland. Scotland and Ireland were very nearly on the same footing. England and Scotland were more prominently brought into comparison; and there were some points on which they must legislate if there was to be one united system. First of all, were they to have the same system of note issues? Were they to allow notes below £5 to be issued in England, or were they to curtail the issues of small notes in Scotland? That question, on both sides of which a good deal might be said, would have to be dealt with if both countries were to be placed on the same footing; but that was a small point in comparison with the question on what basis were they to allow banks to conduct their issues at all? In England banks were entitled to issue notes to a fixed amount, ascertained by a calculation made of their circulation in the year 1844, and they could issue no more than the sum thus set down to their credit; in Scotland they had not only a fixed amount they could issue, but an indefinite amount over that, against which they were supposed to hold a certain amount of gold; but that holding of gold as against notes, as the hon. Member for Glasgow had pointed out, was a very imperfect security, and one which required very careful consideration. If they meant to extend that power to England, it might lead to considerable difficulty. Were they to extend that system to England, or do away with it in Scotland? That was a difficulty they must deal with, if both systems were to be placed on the same footing. Then, as to the privileges of the banks. In England banks of issue were not allowed to have establishments in London, whereas Scotch banks claimed that right, and had it. This would be another difficulty in putting the United Kingdom on a common footing. But if there was not the same footing altogether, it was by no means an easy thing to pass any single Act which was to apply to them all. He did endeavour in this Bill to deal with the whole of the United Kingdom, guarding himself by the introduction of the 8th clause in the Bill; but he quite admitted that that mode of proceeding was one open to comment, and he was not at all surprised at some of the objections urged against it. He had, therefore, thought that it would be wiser and more prudent that they should deal with the English banks alone, and leave the Scotch and Irish banks to be considered by themselves. The hon. Member for Glasgow (Dr. Cameron), in his very able speech, pointed out one thing which showed how very difficult it would be to apply this Bill to Scotland, because he had said that if the Bill were law the Scotch banks would not come under it. He thought that had reference not to the 8th clause only, but to the general effect of the Bill, and the difference that would exist between the chartered banks, which already claimed to have limited liability, without the use of the name, and the other banks which were distinctly unlimited, and which had, according to the Bill, to take the title of limited. He understood one of the objections urged by the Scotch banks was that they would be obliged to take a title that would create uneasiness, and seem to place them in a position of inferiority to other banks that did not require to make a change of name, though claiming the privilege of limited liability. That was a difficulty which did not occur in the same way in England. If, then, the Bill was, as he hoped, fairly suited to the wants of the

English banks, and was not suited to the wants of the Scotch banks, was it not wiser to proceed in the way which had been followed hitherto, and to legislate for England according to English wants, and for Scotland according to Scotch wants? He agreed that there was a much more perfect ideal to be aimed at, and he should be exceedingly glad if they could see their way to attain it. Very important remarks had been made by the hon. Members for Glasgow, Inverness, and Edinburgh, who were opposed to the present monopoly of the Scotch banks. Those observations should guide the House in its policy of legislation on that subject; but this was too large and important a question to be entered upon at the present time. It was a matter which required to be dealt with, and he hoped to be able to deal with it in another Session. But he did not see why the leaving of that question over for the present was a reason for stopping a measure which was likely to be of advantage to English banks. He was sure that nothing could be further from the wishes of hon. Members from Scotland than to adopt a dog-in-the-manger policy, and to stop English banks from obtaining an advantage to their business, because it was not possible to deal with the Scotch banks. He would ask the House seriously to consider if it was possible to deal with the Scotch system of banking fully and properly unless in a Bill limited to Scotland, and if it was possible, at the present period of the Session, to inaugurate such a piece of legislation as that. He hoped the House would be willing to read the Bill a second time, and to commit it *pro formâ*, and allow it to proceed as an English Bill, and not stop it because it was not possible at present to deal with the whole system of banking.

MR. SHAW said, the object of the Bill was a very simple one—namely, to enable bank companies to transform themselves from unlimited to limited liability companies. The question whether the latter should be termed limited, or reserved liability, was quite another matter. The question of issue in Scotland or Ireland never entered into their contemplation at all as being part and parcel of the Bill; and he could not see why it should have been referred to now, except it were to show that hon. Members from Scotland felt there was a rod in pickle for them next year, when this question would again come up. There was no reason why the few clauses of the Bill should not be applied to the three parts of the Kingdom. He did not know whether banks would benefit by the measure in the long run, for its operation might be, in some respects, detrimental to business. But the most important matter now to be considered was whether they should make the change now asked for on so important a subject at a moment like the present. It was very doubtful whether, at this period of the Session, the Bill could possibly pass. He had himself proposed that it should be referred to a Select Committee, and, in doing so, he had anticipated that it would have been read a second time some months ago, so that he would have had time to have considered it. He feared, with all the difficulties that were cropping up, it could not now pass; and he doubted the wisdom of tinkering with the question in the present sensitiveness of the public mind about all matters of business, and particularly about banking. They were told they were to have a larger measure referring to the Three Kingdoms. Would it not be well to defer dealing with this question which, though a small one, would be large in its results? The Recess would not be lost, if the bankers devoted it to a full consideration of the subject. Reference had been made to the difficulties that were always met with when legislation was attempted on the question of bank issues. The Chancellor of the Exchequer had it in his power to give a *quid pro quo*, and to say—"You want to restrict your liability; do so by all means; but you must do something to meet my wishes. You cannot come into the privileged position I am about to make for you, except you can give up something yourselves." Why should there be three descriptions of banks? Why make more disturbance than was necessary? Why not invent a system that all banks could glide into, if they yielded to the proposals of the Government? For his part, he would not attempt to obstruct the Bill. He granted that the measure was one of importance for the interests of the country. He was told that the directors and shareholders in unlimited banks were very anxious for it, because they desired to free themselves from their liabilities. Still, the law of the land was such that they could not get away from its present operation for two years; and he again asked, would it not be wise, when business was in its present nervous state, and the country was in a condition bordering on collapse, to leave the question alone until next Session, when the Chancellor of the Exchequer could bring in a Bill to deal with the question in all its aspects? He, therefore, urged the advisability of postponing the Bill.

MR. PERCY WYNDHAM regretted that the Government had abandoned the 8th clause, to which he attached great importance. The Chancellor of the Exchequer seemed to be sanguine of facilitating legislation next Session by the experience gained this Session; but next Session he would have to face the opposition of Scotch and Irish Members, accompanied with the avowed indifference of those who represented the banks in the Midland districts of England. It was said the Scotch banks demanded no privilege at all; but they had no need to make such demand, because they were already in possession of privileges. All that was required by bankers in the North of England was that they should be placed on equal terms. The Act of Sir Robert Peel was passed years ago, when the present condition of things, resulting from the increase of commerce, was not anticipated; and what the bankers of the North of England said was that the Scotch bankers should abandon their privileges and meet the English banks on equal terms. Did the House realize the anomalous state of things now existing? The Clydesdale Bank was a large and powerful Scotch bank, with branches in England, and it had a branch in the main street of Carlisle, close to the Cumberland and Union Bank; and there was this absurdity—that while the Clydesdale Bank could transact its London business through its own London office the Carlisle Bank could not, but was obliged to transact it where it could, or else give up its right of issue. Let the Scotch bank give up its right of issue and meet the Carlisle bank on equal terms; or, if it retained its right of issue in London, let it give up its branches in the country. The English bank could not cross the Border, but the Scotch bank could, because it was required to have less capital locked up. They ought to be placed on equal terms; and, on that account, he regretted that the Government had given way. He did not believe there was any great probability of next Session affording more favourable opportunity for legislation than the present. By giving way on this occasion, they would have created a feeling of great disappointment in the Northern counties, where all that was asked for was fair play and nothing more.

MR. CHILDERS desired to remind the House of the circumstances in which the Bill came before them. If a Bill of this character had been introduced last year, he did not think half-a-dozen Members would have been found to say that such legislation was necessary. Limited and unlimited banks had gone through the panic of 1866, if with considerable danger in more than one case, without coming to Parliament to ask for such legislation as the present Bill provided. Again, several of the greatest banks had been much shaken at the time of the Collie frauds, when more than one had large amounts of their reserves taken away, and yet they never came to Parliament with such a proposal as this. If, again, at the commencement of the year money had been worth 1 per cent, as now, it would not have been thought necessary to entertain such a Bill. But the frauds that came to light last autumn in connection with the City of Glasgow Bank, and the consequent pressure experienced by banks in London and the country, had produced such a state of feeling with reference to the security of unlimited banks that the Government, at the commencement of the present Session, when the state of trade and the value of money were different from what they were now, were pressed on all hands to do something in connection with such banks, and that was the origin of the present Bill. If it had been proposed last year to deal with the banking question, the great majority of those who thought the subject called for legislation would have said that the question of issue was the paramount question to be considered by Parliament, and anything approaching to a proposal to pick out unlimited banks for special legislation would have been set aside, because hardly any unlimited bank would have desired to be put on the footing of limited liability, and no considerable part of the commercial world desired that unlimited banks should be so dealt with. This Bill was, therefore, especially the outcome of the panic of last year; and now that the panic was over, no one was surprised that the Chancellor of the Exchequer was obliged to modify it. However, the main provision which remained in the revised proposal was for enabling banks with unlimited liability in some manner to reduce it—and this was a matter of principle which could well be treated by itself—with the subsidiary provisions for the protection of the public in respect of note issue where unlimited banks issued notes. The other parts of the Bill approached more nearly to what had been called grandmotherly legislation, that most mischievous tendency to protect by law one member of the community against another in matters of purely voluntary business. Happily the Bill avoided many of the reckless and absurd proposals that were made in the Press during the Recess as to inspection and audit, and interference with banking at almost every stage. Still, the Bill dealt largely with those arrangements between directors and shareholders which, as a rule, were much better left to themselves; and in this respect he hoped some improvement would be made in Committee. But, as he had said, the main object of the Bill was to enable unlimited banks to become limited, and the Bill appeared to carry out that change in what seemed to him to be, perhaps, the most satisfactory way in which it could be effected. They could not conceal from themselves that it was by an oversight that the change could not be made under the existing law. Of course, the change ought not to be made to the detriment of the existing creditor by diminishing his security; and because the Bill was fair in this respect he thought it ought to receive a second reading. The Chancellor of the Exchequer could not expect that all the changes that he had shadowed forth would facilitate the passing of the Bill through Committee. For instance, he had proposed that limited as well as unlimited banks should have power to become banks of reserved liability; but every shareholder in a limited bank had definitely fixed his liability, and it ought not to be increased without his consent. This was a very different matter from saying that a majority of shareholders should be enabled to reduce their liability. As to the Scotch and Irish banks, he confessed to feeling some difficulty. He was not prepared to admit that the evasion of the Act of 1845 was unimportant; still, it was a separate matter, and did not really touch the question of limited liability. On the whole, he was prepared to support the Chancellor of the Exchequer, if leaving the Scotch and Irish provisions till next Session would enable the important part of the Bill to pass now. But he would, at the same time, remind the House that the Bill merely dealt with the fringe of the banking question, so far as the public interest in the security of the note issues was concerned, and that this as a whole was now ripe for discussion. With these reservations, he trusted the House would pass the Bill.

MR. BIRLEY said, he was very glad that the right hon. Gentleman opposite (Mr. Childers) was prepared to give his support to the second reading. It had been very truly said that the Bill was much desired by the banking community of England; and he thought that hon. Members ought to give credit to the bankers of England for knowing enough of their own business to understand the merits of this Bill. A good deal had been said about the panic out of which the Bill was supposed to have originated; but he thought the Bill might claim a more deliberative character. There were many points on which great differences of opinion existed, and he did not pretend to deal with all the clauses; yet, in the main, he was of opinion it would cure a very serious grievance. What was the real difficulty in regard to unlimited banks? It had arisen, no doubt, in great measure from the City of Glasgow Bank panic—that was to say, attention had been more pointedly called to the matter. It was now found that many persons who formerly believed they were not liable beyond the amount they had invested were aware that they were liable to forfeit their whole property, and it was also found that trustees incurred the same liability. Until the law was altered that must continue, not only to the injury of trustees and others, but to the prejudice of the proprietary of the banks. They could not expect to maintain a proprietary of a substantial character unless they could get persons of substantial means on the proprietary. See how this would affect a man of large fortune. The moment he died, if he himself had been a prudent man, or if his executors were prudent men, his shares must go into the market, and the consequence would be that shares in unlimited banks would be rapidly withdrawn. This in itself would be a misfortune, as it would diminish public confidence in the banks. He would not refer to other points, however interesting; but he could not sit down without expressing the hope that the opposition which had been raised against the second reading of the Bill would be withdrawn.

SIR JOHN LUBBOCK hoped the Chancellor of the Exchequer would reconsider his determination to except Irish and Scotch banks. Failing that, they would have the whole discussion over again next Session. They might, he was sure, carry a Bill of this kind if they chose to do so. Of course, those who were opposed to private issues would, if the 8th clause was abandoned, become strong opponents of the Bill. He agreed that the English banks were placed at a great disadvantage in competing with the Scotch banks. If the Cumberland Union, or any other English bank, sent a cheque into Scotland a commission had to be paid; while, on the contrary, Scotch banks could collect cheques throughout England free of charge. The hon. Member for Glasgow had pointed out very clearly some of the disadvantages accruing to Scotland from the monopoly of the Scotch banks; but he objected that it would be unjust to turn them out of England. The Bill, however, now before the House did not do so; but coupled the new privileges to be given with a certain condition, and it would be optional with the banks whether they adopted the Bill or not. But it must be remembered that in coming to England the Scotch banks certainly broke not only the spirit of the law, but, in the opinion of high legal authorities, the letter also. There could be no doubt that Sir Robert Peel's intention was to apply the same principle to Scotland, and, in fact, the general opinion long was that he had done so. Nay, more, evidence was given before the Committee which sat upstairs on the question some four years ago that the Scotch banks in opening branches in England were actually breaking the law. That was the opinion of Sir James Stephen, of Sir Henry Thring, and of Lord Selborne, who was consulted on the subject by one of the Scotch banks. The English banks felt that it was very hard that the Scotch banks should enjoy privileges which were denied to them. They only asked for justice. The English Country Bankers' Association had issued a Memorial on this subject, in which it was stated that they unanimously, and very naturally, asked that if Scotch banks desired to compete with English banks they should do so on equal terms. For his part, he thought it very important that this question should be settled now; and he believed it would be desirable that it should be settled according to the original form of the Bill and for the United Kingdom.

MR. CAMPBELL-BANNERMAN confessed he had heard with regret that the Government proposed to confine this Bill to England, and he was glad to agree with the hon. Member who had just sat down, though for very different reasons. The Chancellor of the Exchequer seemed to think that he had disposed of the question before the House and vindicated the proposal of the Government, when he pointed out the great difference between the banking arrangements and laws in the three parts of the United Kingdom. It was true that the laws relating to issue, and, indeed, the whole circumstances of banks, were different in the three countries. It was true that there was a monopoly in Scotland; but that fact had really nothing to do with the question they had to consider. The Bill before them was one affecting the liability of proprietors and shareholders in banks, and applied to the conditions under which they should hold their shares. But it had nothing to do with the Scotch issue under the authority of the Government, or to any of those complicated questions to which the right hon. Gentleman had referred. His hon. Friend the Member for Edinburgh said that what was good for England was good for Scotland. He might have gone further, and said that if there was one part of the world in which this Bill was required it was Scotland. A great bank with unlimited liability, as they all knew, failed last autumn, and caused a stupendous calamity in Scotland. There was a desire, almost a universal desire, in the interest not only of the shareholders in banks, but of the general public, to see some limitation imposed upon the responsibility of shareholders in banks. The Government had to consider also their own interests, and as responsible for the issue they had preserved the full liability of banks in regard to issue in this Bill. They proposed that unlimited banks should have the power of converting themselves into limited liability companies; but the first thing the right hon. Gentleman did was, so far as Scotch banks were concerned, to attach to this privilege conditions which made it perfectly futile. He was not going to follow the hon. Member for Maidstone in discussing the 8th clause, as to the Scotch banks coming to London. This subject was considered before a Committee a few years ago, and if it had then been thought that Scotch banks should be excluded, why did the Committee never make such a recommendation? It merely reported its evidence. The hon. Member for Maidstone (Sir John Lubbock) said he had high legal authority for saying that the Scotch banks had no right to come to London; but there was high legal authority adduced before that Committee on the other side. The question was so difficult to settle in the direction of the hon. Member for Maidstone that the Committee made no Report; but merely reported their evidence, and no action had been taken on the subject since. But now the right hon. Gentleman, in not only a singular, but he might almost say a shabby way, wished to attach to this measure a condition which would exclude the Scotch banks from London. And yet—would the House believe it?—that condition would not have been applicable to the particular bank that had been mentioned. The bank never was in London at all. What happened was this—a certain bank failed, and caused a widespread calamity. Then it was said—"Let us prevent this for the future; let us have a limit to the liability of shareholders; and let us prevent Scotch banks from coming to London." But that bank never came to London. In fact, one strong argument in favour of excluding the Scotch banks from London was that it was said that they would enter into speculative business if they came to London, which they would avoid if they remained in Scotland. But the case of the City of Glasgow Bank showed that nowhere could such speculative business be conducted more completely and more ruinously than in Scotland itself. The hon. Member for West Cumberland (Mr. Percy Wyndham) complained, and very properly, of the position of the Cumberland Bank. The hon. Member said that the Clydesdale Bank was in Cumberland, and the Cumberland banks had restrictions, while the Scotch bank had not. He agreed with him; but as to the remedy he would say, remove the restrictions from the English banks rather than impose them on the Scotch. He doubted whether Scotch banks had done wisely in coming to London; but having come, it would be unfair to remove them and deprive them of a lucrative business. The Government having thought it impossible to go on with the 8th clause, they then proposed to confine the Bill to England, and there was at least some consistency in their conduct. Their original proposal was to turn the Scotch banks out of London because a bank had failed which never came to London at all; and their present proposal was, because a Scotch bank had failed and spread ruin around it, to confine their remedial measure to England alone. They were consistent in this—that both proposals missed the point of the case. Now, the House was asked to wait till next year for similar legislation for Scotland and Ireland; but they did not know what might happen next year, or what sort of Bill would be introduced. For his part, he did not regard the Scotch system of banking with perfect admiration; and so far as the position of the Scotch banks at present was concerned, he believed that if the Government would deal with that great, important, and delicate question, they would receive considerable assistance from all parts of the House. But, in the meantime, they wished to secure for these banks the advantage of this Bill, which had nothing to do with the question of issue; and he was afraid the Chancellor of the Exchequer, in confining it to England, would find the Scotch Members little disposed to assist him in passing it.

MR. MUNDELLA thought it would be very much to be regretted, in the interests of commerce, if a Bill were not passed this Session dealing with the liability of banks. It was a pity, he thought, that the Chancellor of the Exchequer should have mixed up the two questions of issue and liability; he seemed to connect the two questions in his mind when addressing them on the subject, as well as in the Bill. He thought it would have been better if the Bill had been confined to the one question of liability, and extended to the

Three Kingdoms alike. If it were admitted, for the sake of argument, that the Scotch had a considerable advantage over the English with respect to issue, it would not increase that advantage that they should be placed on an equality with their neighbours regarding liability. What was more, there was no use contending that they would accomplish anything by attempting to thrust the Scotch banks out of London. The fact was, that the banks doing the largest business were Scotch banks of limited liability, and in no respect affected by this measure; so that, while Parliament were endeavouring to drive a bargain on this matter, they were creating a feeling of soreness on the part of the shareholders of the unlimited banks of Scotland, and doing nothing to satisfy the greed, or at least the grievance, which the London banks had against the Scotch banks. It had been said that the public mind was in a peculiar condition on this subject. Well, he thought that if a Bill was passed dealing with one branch of the question it would go far to allay any feelings of that kind. They did not want grandmotherly legislation; but it was fair to expect that the Government would facilitate any change from a condition of unlimited liability, which was found, after all, to limit the business of the country, to one of reserved or limited legislation. He did not see the difficulty of effecting a change from unlimited liability to reserved liability. In the majority of cases, he thought the change would not be so difficult as had been supposed. In any case, he hoped that they would all, English, Irish, and Scotch Members, facilitate the passing of the Bill this Session, in order to restore the confidence of the country.

Mr. LAING thought the speech of the hon. Baronet the Member for Maidstone (Sir John Lubbock) must be a sufficient proof that Scotch Members were not actuated by mere vague apprehensions, nor pursuing what was called a dog-in-the-manger policy, if they objected to partial legislation, which would leave the fate of Scotland to be decided in another Session. There was no doubt that in the Bill, as originally introduced, Clause 8 was really an instrument for deciding by a side-wind a great banking controversy brought up in that House and the country a few years ago, as to the admission of Scotch bankers to London. That was a very large question, upon which a great deal was to be said; but the practical result was to lead to a combination of London banks for the purpose of excluding Scotch bankers from London. Whatever legal opinion they might have obtained as to the existing law of the case, they had never ventured to test that opinion by bringing it before a Court of Law. A Committee was appointed to consider the subject, and, practically, the result was *nil*—they reported evidence, but offered no opinion. He was not going to argue now whether it was a right thing that Scotch banks, under these circumstances, should be allowed to come to London or not. There was something to be said on both sides of the question; but, looking at it from a public point of view, he thought it was impossible to deny that it was for the benefit of the trade and commerce of London and the Empire generally that a portion of the vast deposits which were attracted into Scotch banks by the system pursued there should be able to find some employment in a discount business in London, because they could not find legitimate employment at home to the full extent, without being driven into wild speculations, such as those which proved ruinous in the case of the Glasgow Bank. At any rate, it was not found possible to persuade a competent Committee of that House to report in favour of the exclusion of the Scotch banks, or to induce the Chancellor of the Exchequer to introduce a Bill directly attacking the system, and putting an end to it; and, therefore, the members of Scotch banks had great reason to feel alarmed when they found an attempt by a side-wind to do that which the Government were afraid to do directly. There could not be any reasonable doubt that if the Bill were passed in its present shape, and confined to England, the Scotch banks next Session would find themselves in great jeopardy of having the question of coming to London not decided upon its own merits, but made one of the conditions of availing themselves of a certain privilege. The jealousy which Scotland felt in this respect was not confined to bank managers and shareholders; but the people of Scotland generally felt attached to their existing system of banking. The very basis of that system had been that, owing to the power of issuing notes, especially £1 notes, the banks had been able to multiply and extend their branches in that country to an extent which was quite unknown in England. Well, no one who was at all practically acquainted with Scotland could doubt that that had been one of the main causes of the great prosperity of Scotland. It had been the main cause of those habits of thrift in the Scotch character which had been the foundation of the great progress which that country had made. Why, in the most out-of-the-way districts in the Highlands, they found in some small town of 2,000 or 3,000 inhabitants two or three banks doing a large business, attracting a large amount of deposits, and doing exceedingly useful work in that part of the country. That system had always been viewed with a certain amount of disfavour in England, and had been exposed to repeated attacks. To go as far back as 1828, they all knew that the Scotch £1 notes were only saved from extinction owing to the panic which then ensued by a series of able letters published by Sir Walter Scott, which excited a strong national feeling on the subject. Again, in 1844, they all knew that if Sir Robert Peel had had his way, and some of the political economists who supported him in the Act of that year, they would have restricted or prohibited the issue of paper altogether in Scotland. There had been not merely a quarrel between the London bankers and the Scotch bankers as to establishing agents in London, but there had been a long and persistent jealousy of the Scotch system of banking prevailing among influential classes in England; and, therefore, it was a matter of considerable anxiety in Scotland that any Bill touching the banking interests of the country which was brought forward should be not partial but comprehensive in its character, and introduced at a period of the Session when it could be fully considered and discussed by the country and that House before any measures were finally adopted. As regarded the necessity of proceeding with any measure at all at this period of the Session, he must say he disagreed so entirely with the arguments of his right hon. Friend the Member for Pontefract (Mr. Childers) that he would hardly have thought of repeating them to the House if it had not been that he disagreed with them. His right hon. Friend argued that the Bill was one which no one would have thought of introducing or supporting, if it had not been for an isolated catastrophe to a Scotch bank which created a panic; and then he went on to state, with great truth, that the panic had in a great measure passed away. On that point, he (Mr. Laing) should wish to bear his humble testimony as far as it went, because he had heard it asserted very broadly in that House that this was a measure imperatively called for by the present interests of commerce. He did not agree with that conclusion. He thought this Bill was called for by a certain number of nervous shareholders; but as regarded the general commercial world, there never was a time when there was less banking panic or less distrust in the great banks than at the present moment. They had just completed a period when a number of these banks had submitted their balance-sheets, and made reports for the half-year; and he ventured to say there was not one of the balance-sheets issued by those great institutions which had not given very great satisfaction to the commercial community. As regarded the suggestion which had been made of Government interfering and laying down a stereotyped form of audit, he would say, read the City articles in the newspapers for the last fortnight, and what did they find? They found articles commenting on different systems of audit introduced by the different joint-stock banks, condemning one and commending another, and showing how a very great emulation had been going on amongst those institutions in order to improve the form of balance-sheet and inspire confidence in the public. The Union Bank had brought its balance-sheet as near to perfection as the complicated system of banking accounts would admit. And how much better was this state of things than to have one stereotyped system under an Act of Parliament, admitting of no improvement, and inspiring a false confidence on the part of the public, from the idea that there was no possibility of loss under it. He must say that if ever there was a subject to be approached deliberately it was the great question of banking, and any Bill which touched that question should be referred to a carefully-chosen Select Committee to be discussed in all its provisions. He positively denied that there was anything like a necessity for proceeding with the Bill at the present time, and did not think the slightest harm would be done in any circle of legitimate business if the consideration of it were to stand over till next Session. He did not see why, subject to existing liabilities, any bank in future might not go upon the principle of limited or reserve liability, provided only these two conditions were observed—first, that if it was a bank of issue it must make proper provision for its notes; and, secondly, it must so register the condition of its capital and the liability on its shares as to give perfect information to anyone who might be disposed to deal with it. If he might venture to advise the Chancellor of the Exchequer, he would suggest that he should not encounter the opposition which he would have to meet from important interests connected with Scotland and Ireland for the sake of passing an imperfect Bill for which there was no hurry, but withdraw this measure and introduce another next Session, the details of which might be carefully elaborated in a well-constituted Select Committee of the House.

Mr. GOLDNEY expressed his belief that if they allowed the Bill to be read a second time, as had been suggested by the right hon. Member for Pontefract (Mr. Childers), they would give very great satisfaction to the whole commercial community, and especially to the banking portion of it; and they might take the discussion as to whether the measure should extend to the Three Kingdoms or not on going into Committee.

Mr. W. HOLMS confessed he had listened with very great surprise to the announcement of the Chancellor of the Exchequer, that he proposed to withdraw Scotland and Ireland from the Bill, more especially as an opinion had been expressed in that House, over and over again, in favour of having uniform legislation for the Three Kingdoms. It appeared to him that the Bill, which contained only two provisions, —namely, that for limiting the liability of Companies on the one hand, and for providing a Government audit on the other, was so simple that it might equally apply to the Three Kingdoms. Moreover, it appeared to him that the true reason why the Chancellor of the Exchequer had withdrawn Scotland and Ireland from the Bill was to be found in the fact that the Government believed they could not carry this Bill with the 8th clause in it. For his part, he distinctly objected to that clause. Practically, the Bill, if passed with that clause, would put the three countries in this position—it would provide that unlimited Companies in England might unconditionally accept all the provisions of the Bill; but as regarded Irish and Scotch banks they should only obtain them on certain onerous conditions, because conditions were surely onerous which would compel great Companies to give up lucrative businesses which were now being carried on in England. He ventured to characterize the 8th clause as a London banker's clause; and it was unfair to Scotland and Ireland that the Government should have, as it were, smuggled into this Bill a provision which had practically nothing to do with the real object of the Bill. They were told that if they would only agree to this Bill now they would have two Bills introduced next Session—one for Scotland, and the other for Ireland—but what sort of Bills would they be? They would, in all probability, be very much upon the same lines as the 8th clause, which had nothing whatever to do with the principle of the measure. If the Chancellor of the Exchequer would withdraw the 8th clause, and allow the Bill to apply to Scotland and Ireland as well as to England, he (Mr. Holms), as a Scotch Member, would give him his hearty support in carrying the Bill. As to the amount to which the liability of shareholders should be reduced, he expressed his conviction, from the experience afforded by the failure of the City of Glasgow Bank, that the shareholders in unlimited banks would be only too glad to be called upon to pay five or even ten times the amount of their original capital. He would, therefore, suggest that in any Bill which might be proposed, whether for England or for the Three Kingdoms, reserved liability should not be one-half more than the paid-up capital, but three or four or even five times that amount. He thoroughly agreed with the right hon. Member for Pontefract (Mr. Childers) that this was not a question to be dealt with in a hurry. The present Bill was in the nature of a panic Bill; it was brought in in consequence of a panic; and it would not command the confidence of the public, unless it was based upon thoroughly sound principles. Under all the circumstances, he hoped the Chancellor of the Exchequer would carefully re-consider the question, and take the course originally proposed of having only one Bill for the Three Kingdoms. The people of Scotland and Ireland would otherwise not consider themselves fairly treated. The hon. Gentleman was proceeding to point out that the result of the failure of the City of Glasgow Bank was greatly to the credit of the shareholders from the manner in which they had surrendered their property, and to the people of Glasgow who had voluntarily raised no less than a third of a million to alleviate the suffering, which had been occasioned when——

It being ten minutes before Seven of the clock, the Debate stood adjourned till *this day.*

LORD CLERK REGISTER (SCOTLAND) BILL.—[BILL 196.]

(*The Lord Advocate, Mr. Secretary Cross.*)

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 7, inclusive, *agreed to*, with Amendments.

Clause 8 (Treasury to appoint to offices in Register of Sasines, &c.).

THE LORD ADVOCATE (Mr. WATSON) moved, in page 2, at the end of the clause, to insert as a new paragraph—

"The Commissioners of Her Majesty's Treasury shall have power to fix the salaries and emoluments attached to any of the offices aforesaid, and, with the consent of one of Her Majesty's principal Secretaries of State, to regulate any of the said offices, and to change the designations thereof and the duties of officers employed therein, and the terms on which appointments shall be made thereto."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

THE LORD ADVOCATE (Mr. WATSON) moved, in page 2, after Clause 8, to insert the following clause:—

(Superannuation of officers.)

"All appointments hereafter made to any of the offices aforesaid shall entitle the holders thereof to superannuation upon such conditions as the Commissioners of Her Majesty's Treasury, having regard to 'The Superannuation Act, 1859,' shall prescribe: Provided, That it shall be lawful to the said Commissioners, if, and so far as they see fit, to grant superannuations to the holders of such offices before the passing of this Act, although they may not have obtained certificates from the Civil Service Commissioners."

MR. J. W. BARCLAY asked, what was the intention of the clause?

THE LORD ADVOCATE (Mr. WATSON) stated, that it was one of the leading purposes of the Bill that these officers should receive their appointments from and be removable by the Treasury; and the object of the last clause, which had been very carefully adjusted, was to make them Civil servants. There were men in the Office who had served for a long period, but who were not originally appointed as Civil servants, and one main object of the proposed clause was to enable the Treasury to retire them on Civil Service allowances.

MR. M'LAREN could assure the hon. Member for Forfarshire that this clause had been very carefully considered in Edinburgh, and that it had received the sanction of everybody concerned in it.

MR. J. W. BARCLAY said, he was only surprised that so important a clause should have been originally left out of the Bill.

THE LORD ADVOCATE (Mr. WATSON), said the clause had been inserted in substitution for another one which secured the same object, but less efficiently.

Clause *agreed to*, and *added* to the Bill.

MR. M'LAREN said, that in the absence of the noble Earl the Member for the County of Edinburgh (the Earl of Dalkeith), he wished to move the insertion of a new clause, of which the noble Earl had given Notice, with respect to the regulating the office of sheriffs' clerks, and placing it under the control of the deputy clerk-register.

THE CHAIRMAN pointed out that the moving of this clause would necessitate the adjournment of the Committee.

MR. M'LAREN said, in that case he would not press it.

House *resumed.*

Bill *reported;* as amended, to be *considered* upon *Thursday.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

MOTION.

CONGRESS OF BERLIN (UNFULFILLED ARRANGEMENTS).

MOTION FOR AN ADDRESS.

SIR **CHARLES W. DILKE**, in rising to call attention to the non-execution of portions of the arrangements made at the Congress of Berlin; and to move—

> "That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to use Her influence to procure the prompt execution of those Articles of the Treaty of Berlin which relate to reforms in Turkey; and further praying that, in undertaking mediation under the 24th Article of the Treaty, she will endeavour to procure for Greece the rectification of frontier agreed upon by the Powers;"

said, that, in a few days, the Russian Armies would have evacuated the whole of the Turkish Dominions, both the tributary Principalities and those under the immediate rule of the Sultan. The occupation had been prolonged beyond the date named in the Treaty, and not by a fresh Agreement, as ought to have been the case, but by a straining of the provisions of the Treaty. Still, he attached no importance to the fact itself, and he only mentioned it, because the cessation of foreign occupation made the present the right moment to ask what had been done to carry out the reform clauses of the Treaty of Berlin. There was too much reason to fear that, when the Russian troops had left, reforms would be forgotten, until we were once more startled out of our propriety in a few years time by a Russian, or perhaps by an Austrian Ultimatum. At page 2 of the Papers "Turkey No. 7," which had been issued on the previous day, his hon. Friend the Member for Christchurch (Sir H. Drummond Wolff) appeared to have recommended, as long ago as April, that the organic Statute prepared by his Commission for East Roumelia should, with some changes, be applied to all the other European Provinces of Turkey. The answer of the Turks had been that they intended to apply it, not only in Europe, but in Asia too. Towards the end of May, however, his hon. Friend, finding that nothing had been done, declared—

> "The necessity of not leaving the neighbouring populations with a grievance far more serious than many which had served the purpose of Panslavic agitators, and led to the gravest complications."

He had then gone on to say—

> "I cannot express in terms sufficiently strong my sense of the danger of further delay, which can be defended neither on the ground of want of money, nor of insufficient information."

Now, Lord Salisbury, in his speech of the 27th of June, had said that want of money was the difficulty in the way; but, in this passage, his hon. Friend showed that the East Roumelian system was calculated rather to bring in money than to withdraw money from Constantinople. Nothing whatever had been done by Turkey towards carrying out Article 23. Was it likely that the English constituencies would put up with the rejection of all demands made by us upon the Turkish Government for reform, and, at the same time, remain resolved to defend its territory against all comers? Anarchy prevailed not only in Armenia, but even within 100 miles of Constantinople, upon the coast of the Sea of Marmora. If they were to compare the promises made a year ago with these facts to which he had called attention, he must point out that it seemed but little known that the Treaty of Berlin had promised Home Rule to all the European Provinces of the Turkish Empire. All were to have Parliaments of their own, similar to the elective Parliament of Crete. No step appeared to have been yet taken towards carrying out those promises which were guaranteed by Europe. The Eastern Roumelian Commission was to have sat for three months, and all the new Constitutions for the various Provinces of the Turkish Empire were to have been brought before it. It had now sat for 12 months, and not one of them had been heard of by its Members. Lord Salisbury had lately said that the Porte could not carry out reforms, because it had no money; but it was well known, at the time of the signature of the Treaty of Berlin, that the Porte had no money. As regarded Eastern Roumelia, the reforms appeared to be complete. They were not Turkish reforms, but reforms undertaken by the European Commission. They had, over and over again, been assured by the Plenipotentiaries of England that Eastern Roumelia was to "be under the direct political and military rule of the Sultan;" but, thanks to the hard work and admirable skill of his hon. Friend the Member for Christchurch, it was nothing of the kind. Eastern Roumelia could not in any natural sense of the words be said to be any longer "under the direct political and military rule of the Sultan." His hon. Friend had returned a repentant and converted "Jingo," leaving Eastern Roumelia as independent as were Servia or Moldavia and Wallachia a few years ago. No Turkish soldier or Pasha seemed likely ever again to be seen within its boundaries. Prince Alexander Vogorides, who refused to hoist the Turkish flag, or to wear a fez, could no more be described as a Turkish Pasha, though nominally appointed by the Sultan, than could Prince Alexander of Bulgaria, who also nominally received investiture from the Porte. His hon. Friend the Member for Christchurch had not formerly been regarded as a follower of the right hon. Gentleman the Member for Greenwich; but none the less had he by his labours carried the "bag and baggage" policy completely into effect. Now, the Prime Minister, in a speech delivered rather more than a year ago, had said that in regard to all the subject-races of Turkey in Europe inquiry by local Commissions was contemplated. The Commissioners were to report to the Chief Commission—that was to say, to the Commission for Eastern Roumelia, and—

> "After the firman of the Sultan had been issued, the changes would be made; it was supposed that in the course of three months from the time of the ratification of the Treaty of Berlin the principal arrangements might be made."

Although a year had passed, the 23rd Article of the Treaty of Berlin, which had been thus alluded to by the Prime Minister, had not been carried into effect. The 23rd Article of the Treaty contemplated reforms in the portion of Roumelia which lay between East Roumelia and the sea, in Macedonia, in those parts of Thessaly and Epirus which were not to be given up to Greece, and in the Island of Crete. As regarded all these Provinces, Lord Salisbury, in his despatch, inclosing a copy of the Treaty of Berlin, had declared that their "institutions" were to be "determined by the European Commission." More than a year had passed since that despatch was written, and they had now to ask what steps had been taken towards carrying the promises into effect? Scarcely anything had been done, except in Crete, and not enough in Crete itself. To show that they needed to go beyond the information supplied by the Turkish Government, and by English Consuls to the Government at home, he must point out that it had been admitted by our Government in the present year that the Turkish Regular troops, whose conduct had been declared at the Congress of Berlin to be uniformly satisfactory, had been emulating in Crete, during the sitting of the Congress itself, the worst deeds committed in Bulgaria before the war by the Bashi-Bazouks. While the reforms to be introduced into the Turkish Provinces of Europe were to be supervised by the European Commission for Eastern Roumelia, the reforms to be introduced into Turkey in Asia were not to be brought before its Members. Lord Salisbury, indeed, seemed to have been misled by a blunder in the English translation of the Treaty of Berlin, and to have thought that reforms for Asia, as well as for Europe, were to involve Constitutional Government, and, after being included in Clause 23, to be brought before the European Commission. But they now knew that reforms in Asia would be supervised only by the Ambassadors. By the 61st Article of the Treaty, the Great Powers were to superintend and to be informed of the steps to be taken with a view to the introduction of reforms into Armenia. Our own responsibility for the carrying out of those reforms, and of similar reforms generally throughout Asia Minor, had become immense under the terms of the Anglo-Turkish clandestine conditional Convention, commonly known as the Cyprus Convention. It was true that in the Convention Turkey bound herself to us with regard to those reforms, and not we to her subject-populations; but the responsibility which rested upon us was moral, and not legal, and had been fully admitted in the speeches of Ministers made at the time when the Convention was signed. Yet no language could be too strong to describe the horrible misgovernment now prevailing in Asiatic Turkey—a country to which the noble Lord the President of the Board of Trade (Viscount Sandon) had last year declared that it had, under the terms of the Convention, become the mission of England to introduce civilization in the shape of missionaries and steam ploughs. The Armenian Papers had lately been moved for by Lord Carnarvon in "another place," and the Motion had been agreed to, so that it was unnecessary that he should ask for them. A sad change, however, had been shown by the debate. Lord Salisbury's splendid list of reforms, included in his despatch of the 8th of August of last year, had become "impossible" in his speech of the 27th of June. Not only had the 61st Article of the Treaty not been carried into effect, but the 62nd Article, also, was shamefully violated in Armenia. The troops which were needed to restore order in the Provinces were sent to Thessaly, and placed under the command of that abominable miscreant, Chefket Pasha, in order to crush the Greeks and prevent the will of Europe being carried into effect. Lord Salisbury, as would be found at page 210 of the Protocols, had said the object of the proposal with regard to Armenia, which was ultimately agreed to by the Congress, was "immediate amelioration" as well as "future progress." There had been no "immediate amelioration"—there had been no amelioration whatever. The Government of England, which, on account of the Anglo-Turkish clandestine-conditional Convention, ought to have been the first among the Powers to insist on the execution of the Treaty of Berlin, had, on the contrary, been the most inclined among them to hold back and to throw obstacles in the way. In December and in February last, he (Sir Charles W. Dilke) had asked for Papers on the subject, which were still withheld. The Government had never published the suggestions of Germany, made last year immediately after the end of the Session, for obtaining the execution of the Treaty of Berlin. As the Government assured them that the only difficulty was that with regard to money, and as the admission by Europe of the Russian Indemnity made it certain that Turkey never would have money, he thought that they ought, at the same time, to press for the Correspondence which had taken place with regard to the Indemnity Clause. England had undoubtedly assumed, in the eyes of foreign countries—all now by far less pro-Turkish than ourselves—by the Cyprus Convention, at least a responsibility for the destruction of those institutions which cut off the Turkish Empire from Europe and from civilization. Throughout the Turkish Empire slavery existed in every household belonging to the ruling caste. It had been proved last year that even in the capital itself—even in the homes of those Pashas whose names were well known to us as the so-called reformers of the present and of recent Turkish administrations—Christian children, some bought, but the great majority of them stolen from their parents, were detained in slavery. Whatever else had been accomplished in Eastern Roumelia slavery had disappeared. There was no reason to suppose that in imitating the Constitution of Eastern Roumelia in other portions of the Empire, the Turks, in the absence of serious European pressure, would abolish slavery. The probable return to power of Mahmoud, the enemy both of England and of reform, made this, if possible, more certain even than before. He had now justified the first portion of his Resolution. He passed to the second portion of the Resolution, which dealt with the unexecuted arrangement with regard to the Greek Frontier. The Blue Book (Greece, No. 1) was like a modern novel in its construction. The beginning and the end of it were both good; but the middle would not bear investigation. Lord Salisbury, with the intelligence of a popular writer, had trusted to the well-known fact that people habitually read the beginning and the end, but not the middle, of a thick volume. The excellent despatch with which its contents concluded was contradicted by the principal portion of those contents themselves. The Turks all along had said—"This is an awkward question for us; force our hand, and we will submit." The whole of Europe, as represented at Berlin, was willing—nay, was anxious—that the course which the Turks themselves proposed should be adopted, and it was our Government which, by changing the French-Italian proposal, endorsed as it was by the three other Powers, had prevented rectification of the Frontier from becoming a distinct Article of the Treaty. After the Congress had concluded its deliberations, the other Powers again began to press that something should at once be done, and our Government again held back. At page 35, our Minister at Athens sent home the rumour that Great

Britain had refused to act with Germany, in August or September, to procure the immediate settlement of the question. He added, to please the Minister, that this was

> "Probably one of the daily reports circulated by the telegraph throughout Europe, which has little or perhaps no foundation in fact;"

but it was true, as would be seen by the despatch of Germany, for which, in December, in February, and again to-night, he most pertinaciously had asked. At page 39, they had a fresh example of Lord Salisbury's powers of delay, which were quite Turkish in their strength of resistance. He described how, in October, he had told the Representative of Greece that he "expected no advantageous result" from mediation at that time. Why? Because the

> "Consent of the Porte was not sufficient to procure the cession of territory in which the Mussulman population was predominant."

But to say this was to beg the question; because in the particular portion of Thessaly and Epirus not only was the "Mussulman population" not "predominant," but it formed only a most miserable minority. At page 52, they would find a further application of Germany for action, and the manner in which it had been received. This was in November, for each time Lord Salisbury had contrived to hang the matter up for a month. The German Ambassador had called upon him to ask him to answer the French Circular of the 21st of October, saying that—

> "Germany, as well as Austria, Italy, and Russia, had resolved to adhere to the French proposal."

In face of language of this kind, Lord Salisbury was obliged to promise "that England would not refuse her general concurrence;" but "the proposal" which the whole of Europe except England had accepted "must be modified, and must not be a menace addressed to Turkey." "The time," also, "was inopportune." Lord Salisbury "regretted that the Powers had not thought fit to delay the step." This was throwing a good deal of cold water upon the action recommended by the five Great Powers. Although Lord Salisbury had promised not to refuse his "general concurrence," they saw, by page 53, that, six days after, M. Waddington told Lord Lyons—

> "That he had received from all the Governments, except from that of Her Majesty, an unconditional assent to the proposal he had made, that a simultaneous and identic representation should be addressed to the Porte on the Greek question."

It would be seen from page 57 that, owing to the delay of England, more than another month elapsed—for there was a complete gap between the 12th of November and the 17th of December; but, at last, owing to the pressure exercised within those walls in the December Session, the Porte appointed Commissioners at Christmas. The Papers showed that those Commissioners were appointed only for the purpose of gaining time; and the French Government had informed Lord Salisbury that the time so gained had been utilized by the Commissioners themselves in importing Mahomedan Albanians from the North into these particular portions of Epirus, so as to alter the balance of the population. The House would find how our Ambassador at Constantinople had tried, in the despatch—No. 100—to help the Turks, by finding apologies for their conduct; but, at page 68, there was a despatch from him as to which it was necessary to make even more severe remark. Sir Henry Layard, writing in January, did not hesitate to urge that the line named by the Congress did not give Janina to Greece. He said—

> "I am not acquainted with the intention of the Congress as regards the exact nature of the frontier line proposed. Judging from your Lordship's despatch to me of the 28th of last May, it would not, in your Lordship's opinion, include Janina."

A more monstrous statement could not be imagined than that the line suggested by Lord Salisbury before the meeting of the Congress was to override the deliberate will of Europe, afterwards agreed to by Lord Salisbury himself. It had been proved by France, and it was believed by Germany and by the rest of Europe, that Janina was a Greek town, the capital of a district purely Greek. He himself had received an address, which had been signed by the whole of the aldermen and town councillors of Janina, who, without exception, were favourable to the concession of the boundary line which had been named in the Protocols of Berlin. He had spoken of Europe as agreeing in this view; but Italy had for a time been an exception to that concert. Happily, the Italian Prime Minister of last year, who was a member of the Greek Committee, had now returned to power, and a Government had sprung up at Rome in the place of that which, intriguing in Albania on its own account, had pretended to support Lord Salisbury's views. A document, which had come to light two months ago, had shown that the late Italian Administration had been in secret correspondence with the Turkish Commissioners in Epirus for purposes of its own. Lord Salisbury, in one of his despatches—No. 141—most clearly showed his desire to prevent Janina becoming Greek; and Sir Henry Layard went even far beyond his Chief, for he said that he himself was convinced that unless the Porte kept Janina it would be impossible to retain Albania. Another circumstance worthy of notice was the falsity of the statements made by the Albanian delegates, in which they claimed Prevesa, Arta, and Janina, as Albanian towns; for the truth was, as was indisputably proved in another part of the Blue Book, that eight out of nine of all the inhabitants of Prevesa were Greeks, and that all of them spoke Greek; while at Arta the whole of the inhabitants were Greek, and in the town of Janina the Greeks were three to one, the district outside the town being wholly Greek. These facts were completely confirmed by the information supplied by the French Government, by Mr. Macdonald of Janina, and by another gentleman. Lord Salisbury was indeed slow to learn; for after he had received this information from our Minister at Athens, and also from the Government of France, it would be seen that, although the Austrian Government, of which he had had some hopes, had deserted him, and although Germany had declared to him that "the matter was one in which the German Government took great interest," and that "it would be necessary to bring the controversy to an issue," Lord Salisbury still pleaded for delay. It was evident that if our Government had spoken throughout, as had the Governments of Germany and France, the present deadlock would never have occurred. Even when Lord Salisbury was stirred up to act, the language which he used should be contrasted with the plain language of Germany—

> "The German Government will give the French proposal their cordial support, so that the stipulations of the Berlin Treaty may be carried out with as little unnecessary delay as possible."

At another part of the Blue Book there was a Note upon an intrigue which was closely connected with the Italian intrigue of which he had already spoken, but which, being a Turkish intrigue, was of an even more corrupt and an even more stupid nature. It was there stated that the Porte had paid the travelling expenses of three gentlemen whom they had sent on a tour round Europe, and who had been described as delegates of the Albanian nation. Now, he could prove that those gentlemen were Turkish functionaries, that they were paid by Turkey, and that they did not come from, or know anything of, that portion of Epirus which it had been proposed that Turkey should cede to Greece. At page 190, a simple-minded British Consul, Mr. Greene, had written that—

> "Two Albanian nobles, Abdul Bey, of Pharsala, and Mehemet Ali Bey, of Berat, had recently visited Rome,"

and were in Paris, and—

> "That the mission of those Beys to Italy and France does not appear to have caused the Turkish authorities any uneasiness."

Now, considering that the Turkish Government had paid the salaries and expenses of those gentlemen, it was hardly conceivable that their mission should have caused uneasiness to that Government—unless, indeed, it was uneasiness of the breeches' pocket. At page 203, there would be found a statement of those persons' views, which was an imposture from the first line to the last. One of those two gentlemen had asked pay from the Greek Government in order to come upon the Greek side and support their views, and, being very properly refused, he sold himself to the Turks. Lord Salisbury was aware of this fact; but he received that gentleman, and, probably, shook him by the hand. The other, Abdul Bey, was brother-in-law to the Turkish Ambassador at Rome, who had been concerned in the Italian intrigue, and had no connection with Janina, in the name of which town he, however, spoke. Lord Salisbury, who had just refused to receive the Bulgarian delegates, nevertheless saw these gentlemen at the Foreign Office and reported their views to Constantinople, although these consisted of the most outrageous misrepresentation of the facts, without remark. After seeing Lord Salisbury, the two Albanians went to Berlin to see Prince Bismarck. Prince Bismarck, who also knew their character, at once informed them that he would not see them. They then sent to him to say that they had seen Lord Salisbury, upon which the Prince replied that that made not the slightest difference. As they still persisted, Prince Bismarck presented his compliments to them, and said that he did not believe that an Albanian nationality existed; that if it did exist, its existence had no bearing on this subject, inasmuch as Janina was not an Albanian town; but although he protested against the Albanian question being raised, as they asked his opinion, he must add that if there were such a thing as an Albanian nationality in North Albania, "the sooner, in the interests of civilization, it was stamped out the better." In Lord Salisbury's last despatch, he tried to disguise the fact that he had been throughout hostile to the full satisfaction to the Greek claims, as they had been admitted by the Powers at Berlin. He (Sir Charles W. Dilke) hoped that the words of that despatch might be taken as a promise of amendment for the future; and he would only add that in the six weeks which had passed since it was written no progress had been made, and that they saw as little prospect of the termination of the controversy as they had 14 months ago, at the time of the meeting of the Congress at Berlin. In conclusion, the hon. Baronet moved the Address of which he had given Notice.

MR. SHAW LEFEVRE: I rise, Sir, to second the Motion of my hon. Friend the Member for Chelsea (Sir Charles W. Dilke) with reference to the first part of it, relating to the reforms in European Turkey and Armenia which were so solemnly promised by Turkey and the Treaty of Berlin. I think everyone will be of opinion that the time is come when it is right and reasonable to ask what has been done by Turkey to carry out her obligations? More than a year has elapsed since the conclusion of the Treaty; all those parts of it which are in favour of Turkey have been carried out, or are rapidly being carried out. The Russian troops have all but completely evacuated both Roumelia and Bulgaria; what, then, has Turkey done? I will not recapitulate the obligations, they are partly under the Treaty of Berlin and partly under the Anglo-Turkish Convention. In view of them, I think hon. Members opposite must have been greatly surprised to learn from a recent debate in "another place" that our Foreign Minister not only repudiates, but actually ridicules, the idea that this country is under any responsibility towards the people of these Provinces to see that these obligations towards them are carried out by their Government. I am the last man in the House to wish to extend the responsibilities of this country; we have enough and to spare already in every part of the world; and, however sad it may be that Governments in remote parts of the world should oppress and misgovern their people, it is no part of the duty of this country to enter upon a crusade on behalf of the oppressed; but where we have interfered in the interests of this country, or the supposed interests, to prevent a decaying, corrupt, and brutal rule from being overthrown, and have interfered to save it from destruction, I think there is a heavy responsibility upon us to see that obligations entered into should be carried out. It is due to us mainly, if not wholly, that nearly the whole of what remains of Turkey in Europe has been restored to the direct authority of the Porte, and that a large slice of Armenia was also restored. Surely, then, upon us more than upon others lies the responsibility of calling Turkey to account for the non-performance of those parts of the Treaty which must be considered as the condition on which they were restored. Now, what has been done by Turkey since the Treaty? Absolutely nothing. I challenge the hon. Gentleman the Under Secretary of State for Foreign Affairs to produce a vestige or scintilla of evidence to show that the Porte has made any effort to improve the condition of her European subjects, or of the Armenians. It is not merely a question whether any attempt has been made to frame new institutions; but there is not a sign that any single step has been taken to redress those evils, which do not depend so much upon a constitution as upon the very first principles of honest administration. So long ago as August 8th of last year, Lord Salisbury wrote—

> "The immediate necessity of Asiatic Turkey is for the simplest form of order and good government, and for such security from rapine, lawless or legal, that industry may flourish and population may cease to decline."

The same necessity exists, and, indeed, is far more pressing at this moment, not only in Armenia, but in European Turkey. In all these districts, things have been going from bad to worse ever since the war was over. Of Armenia we have a recent statement of the Armenian Patriarch, which is confirmed by independent witnesses, that anarchy prevails there; that the Christian population is harassed and plundered by Kurds and Circassians; that an organized brigandage is being carried on by the officials in a more shameless and open manner than ever. Thousands of the wretched inhabitants are seeking refuge in Russia, where, if they find a severe and despotic Government, they find, at least, security for life and property. When we look at the condition of Macedonia, we find a counterpart of these evils. I have only this day seen a well-known gentleman, a Mr. Rose, who is recently returned from Macedonia, where, I believe, he has been one of the very few who have been able to penetrate at all beyond the coast. His accounts of the condition of the country are most appalling. Anarchy and murder prevail. The Turkish Government has planted over it small bands of Circassians, who terrorize the people, and plunder and murder freely. The officials are in league with these people, and are more shamefully corrupt than ever. What makes his account more interesting is that he has so recently been in Eastern Roumelia. He reports of this Province that, notwithstanding all the sufferings it has gone through during the two years of war, it is rapidly recovering. The Province is in the hands of a native Administration; and the result is that it is perfectly safe for travellers. Property and life are already as secure as in any other part of Europe. How great a contrast is this state of things with that in Macedonia. In the latter it is unsafe to go a mile beyond the large towns without an escort. It seems that the army of petty officials and zaptiehs who have lost their occupation in Bulgaria have drifted into this Province, and are feeding like locusts on the country. The Pashas who have been sent there are the worst of their kind; most of them should be expiating their crimes on the galleys. There is Salik Pasha, who was recalled from Crete at the instance of Consul Sandwith on account of his cruelties and misconduct; he is now holding an important command. There is Amous Pasha, who was responsible for the murder of Mr. Ogle, who is also holding an important post. There is Chefket Pasha, whose crimes are so notorious; he is now holding an important post in Thessaly. Now, let me ask the House what must be the result of such a contrast, how long can the present state of things last? There is already extreme danger of another outbreak. I observe that in May last the hon. Gentleman the Member for Christchurch (Sir H. Drummond Wolff) wrote that—

> "He could not express in terms sufficiently strong the sense of the dangers of further delay, which can neither be defended upon the ground of want of money, nor of insufficient information."

The hon. Member has elsewhere stated that he has the highest authority for saying that the Porte is animated by the best intentions; but he must know that the approaches to the Porte have been always paved with good intentions. Meanwhile nothing has been done; the influence of England appears to effect nothing. Sir Henry Layard has not even succeeded in preventing the employment of Chefket Pasha. His policy of coaxing and flattery, and of praising the poor vacillating and weak man who fills the throne of Turkey, seems to be a total failure; surely, then, it would be wise to try some other tone; at all events, it would be well that this House should speak out, so that the Porte should see that its conduct will not escape the attention of this country. I now come to the case of Greece; in adverting to it I shall endeavour to avoid any controversial matter. I know there are hon. Members opposite who are as anxious as any one of us on this side that a settlement should be effected in the most liberal spirit to Greece. There are, however, some points which arise on these Papers which I hope the Government will explain. In the first place, the Papers give us, for the first time, the negotiations which preceded the Congress on the subject of a proposed accession of territory to Greece. We now know that, in June last, Sir Henry Layard made a proposal to the Turkish Government to give up territory to Greece, to an extent bounded by, what I shall call, the Salisbury line. Sir Henry Layard reports that when he made this proposal to Safvet Pasha, who was then Grand Vizier—

> "The latter seemed at first but little inclined to entertain the idea of making any territorial concession to Greece. He said that no Turkish Minister could do so, and that if Turkey were to be deprived of territory it were better that it should be in pursuance of a decision of Europe pronounced by the Congress, to which she would have to submit."

This letter must have reached Lord Salisbury at Berlin a few days before the Greek question was decided. It is most important as showing that the Turks preferred that Congress should deal with and decide the question. Now, I would ask the House to compare this letter with the statements made by Lord Beaconsfield on his return from Berlin. The most full account he gave us of the reasons for the mode adopted in the Greek case was at the dinner given to him at the Duke of Wellington's Riding School. He there boasted of what had been done for Greece; he treated it as an accomplished fact; he claimed that Greece, by trusting to England, had got a larger accession of territory than any of the rebellious Provinces of Turkey which had aided Russia; and he then went on to give this explanation—

> "Before the Congress the Sultan had shown a disposition to meet with favour the proposals of England for an accession of territory to Greece; but he had said that what he was prepared to do he wished should be looked on as an act of grace on his part, and of his sense of friendliness to Greece in not attacking him during his troubles; but as Congress was now to meet, he should like to hear the result of the wisdom of Congress on the subject."

I wish to point out that this statement is not in conformity with the information now before us. If it be accurate, then the Turkish Government has deluded and taken in our Government, and has induced it to agree to the decision of the Congress, taking the form of a recommendation under the belief that he was really prepared to accept its conclusions. If, however, it be inaccurate, we are entitled to an explanation why it was that, knowing that the Turkish Government preferred a decision of Congress, our Representatives did not state this in the Congress, and obtain from them an authoritative decision. The next point I have to notice is that Sir Henry Layard, in the same letter, states that he pressed upon the Porte Lord Salisbury's line of Frontier, on the ground that a comparatively small concession might settle the question; while if it were left to Congress to decide it might come to a decision more disadvantageous to Turkey. This leads to the fact that the Congress did, undoubtedly, recommend a wider concession of territory than that previously proposed by Lord Salisbury. I think no one can doubt this. If Lord Salisbury's line had been agreed to, it would have been adopted in his language; but the line recommended by the Congress was to follow the valleys of the Kalamas and Salameria, and I think no independent person can come to any other conclusion than that it was intended to include Janina. Yet no sooner was this done than we find the Turkish Government repudiating absolutely and obstinately not only the line of Frontier recommended by Congress, but also Lord Salisbury's line; and we find Sir Henry Layard throwing himself into the cause of Turkey, so far as Janina is concerned; and from that day to this he has been the strongest opponent of the line proposed by the Congress. In page 68 there is a letter from Sir Henry Layard, expressing the strongest opinion that Turkey ought not to be called upon to give up Janina, and again another at page 100; and it is well known that the whole of his influence has been used to support the Turks in their opposition to this concession. There is also a despatch to which I must call attention. It is that from Lord Salisbury to Mr. Corbett, our Minister in Greece, dated October 22nd, in which he expresses the opinion that none of the Great Powers will be prepared to coerce the Turkish Government in order to carry out the conclusions of the Congress; and he adds that, inasmuch as moral persuasion is the only weapon at hand, it could obviously be used with better chances of success if an interval were allowed to elapse during which the excitement among the Mussulmans were allowed to calm down. Now, I would ask what effect upon a negotiation such as we are now engaged in must such a statement have? We may presume that the Turks also have been informed that moral persuasion is the only weapon we have at hand, or intended to use. I ask, where in the history of the Turkish Empire has moral persuasion been of any use, or effected anything? It may, or may not, be wise to use coercion; there are many degrees and methods of coercion. It does not necessarily mean the actual use of force, and history shows that where Europe is agreed and determined on a particular course a mere demonstration is sufficient; and I may remind the House that the settlement of the Greek question was only effected by France sending a Force to Greece; and later, in our own day, the settlement of Syria was only effected by France sending a Force there. In neither case was there resistance; but in both the demonstration was necessary, and without them nothing would have been done, and so it may be again in the future. If Europe agrees, and shows that it is in earnest, the Porte will not, and cannot, resist; its hope consists in dividing the Great Powers; and if one of them says, we will use nothing but moral persuasion, the Porte knows well enough what that means, and that she may safely refuse. It seems to me that to publish such a statement at this moment, at a time when mediation is pending, is to court failure, and to repeat the mistake made after the Conference of Constantinople, when the Turks were politely informed that whatever their decision England would never join in compelling them to do anything. Now, Sir, the letter I have quoted, and many other despatches in the Book, frankly admit that the Government has not objected to the delay which has taken place; they have thought it better that time should elapse, during which the Mussulman feeling should calm down. With all deference to the motives of the Government, I cannot but think that great evil has already arisen from the delay. The Turks have occupied the interval in preparing for local resistance. They have filled Thessaly and Epirus with troops; they have incessantly agitated among the Albanians; they have imported Albanians, Mussulmans, and Circassians into Epirus, and they have armed the small Mussulman minority; and, meanwhile, the Provinces are a prey to disorder; all this might have been avoided by more prompt action on our part. Now, I will willingly admit that the last despatch of Lord Salisbury, in reply to the invitation from France for mediation, is far more satisfactory than any previous document; but it must be taken in connection with the previous Correspondence. It does not disclaim Sir Henry Layard's objections to the surrender of Janina. It is quite consistent with it that Sir Henry Layard will continue his opposition on that point, and that we may find, on conclusion of the negotiations, that all the influence of England has been used to limit and curtail the recommendation of Congress. What we desire is, a full and frank statement from the Government that the influence of England will be used to obtain for Greece the widest extension of territory which the recommendations of the Congress are capable of, in lieu of the smallest, and that they will abide by the spirit of the conclusions of the Congress, and will endeavour to carry it out. If it be said that it is an unusual course to interfere with a debate in this House while negotiations are actually pending, I would venture to point out that we are only repeating the precedent set us by much greater men in 1830. The present position is almost identical with what it then was. The question what should be the limits of the new Kingdom of Greece was then referred to a Conference of the Ambassadors of the Great Powers at London; and it having leaked out that British influence was being used to curtail the limits, Motions were made in both Houses of Parliament, at the beginning of 1830, by Lord Russell in one House, and by Lord Holland in the other, calling upon the Government to use its influence to secure a sufficient accession of territory to the new Kingdom. Lord Russell, Lord Palmerston, and Sir James Mackintosh argued most strongly that the two Provinces of Thessaly and Epirus, and the Island of Crete, were essential to the new Kingdom. I wish I could quote their speeches at length; they would serve word for word for the present occasion. They argued that without these Provinces Greece would not have territory enough for her proper development; they said that to leave outside the new Kingdom Provinces whose inhabitants were so largely Greek would lead to constant agitation and prevent a settlement of a lasting character. Time, however, has proved the truth of the arguments of Lord Russell and Lord Palmerston. Unfortunately, those arguments did not prevail, and we now know, from the memoirs of those who carried out the negotiations, that under a false idea as to the interests of England all our influence was used to curtail the limits of Greece. We have the additional arguments drawn from a comparison of a free independent Greece with the condition of those Provinces left to wither and decay under the rule of Turkey. I ask those who doubt to visit these districts, and to compare Athens with Janina or Larissa, or go from Syra to Crete, or from Patras to Prevesa. He will find it is as going from light to darkness, from civilization to decay, or from the land of freedom and progress to the region of decay and desolation. It is admitted, on all hands, that a grave mistake was made in 1830; it was admitted by Lord Beaconsfield in the Congress, and by Lord Salisbury in his last despatch; the grounds alleged by both were—first, that the Frontier lines were badly traced, and encouraged brigandage; and, secondly and mainly, that it left outside Greece districts in which the Greeks largely predominated, and that it was not to be supposed that, with such a Government as Turkey, there could be contentment among the population thus left out, or that the people of Greece could not do otherwise than sympathize with their kinsmen left under cruel bondage, and that hence, from the very nature of things, there must be continued agitation and perpetual danger to the peace of Europe. We have now an opportunity of rectifying the mistake of 1830; for God's sake, do not let us repeat it again. The line drawn by Congress is already too narrow; by excluding the district of Janina we shall be repeating the mistake, for no one can doubt that it is essentially a Greek district. Just in proportion, then, as we extend the Frontier, so as to include all that is really Greek, we shall make that settlement a lasting one, one in the interests both of Turkey and Greece, and the best security for the peace of Europe.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to use Her influence to procure the prompt execution of those Articles of the Treaty of Berlin which relate to reforms in Turkey; and further praying that, in undertaking mediation under the 24th Article of the Treaty, She will endeavour to procure for Greece the rectification of frontier agreed upon by the Powers."—(*Sir Charles W. Dilke.*)

MR. HANBURY, in rising to move the following Amendment:—

"That this House desires to express its gratification that the main portion of the stipulations of the Treaty of Berlin has been successfully carried into effect, and approves the steps which Her Majesty's Government have already taken to secure the full accomplishment of those portions of the Treaty which are still in course of execution;"

said, that if the Motion which had been brought forward had been simply an abstract expression of opinion there would have been no occasion for his Amendment. If the Motion of the hon. Baronet merely conveyed to him the fact that the Powers of Europe, and especially this country, were interested in seeing the provisions of the Treaty of Berlin carried out speedily and completely, all parties would be equally ready to accept it. Turkey had given to her one more chance of life; and it would, of course, be the extremity of folly and little short of suicide if she were to refuse to carry out, with all possible speed, the proposed reforms, and to make use of this last opportunity. But when he came to treat the proposition of the hon. Baronet as a practical proposal, he found that it meant a great deal more and a great deal less than the truism he had enunciated. What had been the course taken by the Government down to the present moment? By advice, by remonstrance, and by rebuke the Government had pressed and forced upon the Porte the absolute necessity of setting its house in order. He appealed to hon. Members with confidence, and asked whether it was possible for the Government to have done more by diplomacy than they had done—at least, short of bluster and menace? Would the hon. Baronet have the Government persuade the Porte that reform was even more to our interest than to its own? Such a suggestion would surely prove to be very mischievous. When he listened to the speech of the hon. Member for Reading, who had just sat down, and heard him hint rather vaguely at coercion, he seemed to hear him advocate, not diplomacy, but the old, discarded method of physical force, which was not the way of the Government, and which, if adopted, would require, as an indispensable condition, the assistance of a confederate. But now the nation that might have been the confederate had good reason for keeping its charity at home, even if it were inclined to have a reformed country on its Frontier. It was neither the wish of England nor of the Ambassadors at Berlin that Turkey should be coerced. They said to her—"You must reform or perish; we put before you the choice; and the responsibility, if you refuse, must rest with the Porte, and with the Porte alone." There was, however, another principle in the Treaty, which was conspicuously absent from the terms of the Motion, and that was the elementary principle of fair play. By that principle, Christians and Mussulmans ought no longer to be judged by two different standards. It was a principle applicable, in the first place, to the Empire of the Sultan, but not more so to the Pashas of the Porte than to the Benches of the House of Commons; and when he found the hon. Baronet taking out of the Treaty just those portions that suited him, and setting aside, as mere verbiage, other portions that were equally important, he felt that he was not giving fair play to the country he attacked. The hon. Baronet singled out Turkey, a country demoralized by intrigue, still staggering from its death-struggle, and oppressed by a more gigantic task than had ever fallen to any other Government, and, under such conditions, expected it to reform in the course of the 365 days that might be called by courtesy a year of peace. Were there no other nations equally bound by the Treaty, and bound to give to their peoples the liberty for which they cried so loudly in the case of Turkey? Were the inhabitants of Bulgaria — where, by-the-bye, the fortresses had not been utterly dismantled—yet in the enjoyment of their farms and villages? Were not the Jews of Servia and Roumania as far as ever from freedom? The hon. Baronet left them on one side, and heaped all the vials of his wrath upon unfortunate Turkey. It seemed to him that it was most inconsistent of hon. Members, in so short a space of time, to bring such charges against the Porte. They usually described Turkey as a festering mass of corruption. How, then, could they expect that its rotten body could take up its bed and walk, immediately after being relieved from the terrorizing and galvanizing influence of the bullets of the Czar? The hon. Baronet had brought forward many Motions in the course of the Session, and in one of them he had complained that Cyprus had not yet been made a paradise. They might quarrel about the occupation of the Island, but not as to the fact that an English Governor would try to procure for it the best government he could. Cyprus, in all its conditions, could compare favourably with the gigantic Empire of Turkey, and, moreover, had not been ravaged by war; yet the hon. Baronet had come forward to complain of its government. Possibly, the hon. Baronet might say that, with the present Government in Office, English Governors were as bad as the Turkish; but, in that case, he could not very well ask the Government to give a lesson and example to Turkey. Reform was always a very slow process in the East; and, at the present moment, the word "prompt" was a remarkable word to put upon the records of the English Parliament. It had taken them four months to discuss the discipline of the Army, and yet it was urged that a year was enough to recover and re-model a great Empire in the East. Did the hon. Baronet suppose that there was no such thing as obstruction in Turkey? He ought to have remembered that the East was the natural home of obstruction? The Bishops and the Pashas alike misrepresented the people. He knew from personal experience that they were about the most sober, industrious, and patient people in this world. He had travelled several times over that country, and, therefore, he had an opportunity of seeing what the people were. It was not only the Christians who complained of bad government at Constantinople. Hon. Gentlemen opposite would fall into the mistake of supposing the Conservative Party to be friends of the Pashas instead of the people of Turkey. Their object really was to bring about good government for all, and he had no hesitation in saying that the Mahommedan Government of Turkey was as much de-tested by the Arabic and Syriac populations as by the Christians. If there was to be a speedy and effectual reform of that country, the change must come from below rather than from above; from the country districts, instead of from the pandemonium of Constantinople. ["Hear, hear!"] He was glad to hear those cheers from the opposite Benches, because what he was leading to was this—that a short time before war broke out a remedy was prescribed, which he believed to be the best and most speedy way of effecting a reform. A Turkish Parliament was suggested; but by Members on those Benches the suggestion was treated with the greatest scorn, and it was to a great extent owing to the bad reception that Parliament had met with in this country that, in dealing with the question of reforms in Turkey, it was with the Sultan and the Pashas they had to take account. It could not be expected that the Government of Turkey would show any great activity in carrying out reforms, if the engagements entered into with it by this country were not fulfilled. At Berlin a promise was given to Turkey that if she would give her people freedom and good government we would give her Empire rest. The signatures of our Ambassadors were hardly dry on the Treaty of Berlin before the engagements we had entered into, not only in that Treaty, but in the Anglo-Turkish Convention, were criticized and condemned by the rank-and-file, as well as by the Leaders and ex-Leaders of the Liberal Party in that House. Was it not, therefore, possible that the Sultan and the Pashas were at this moment waiting to see whether they were dealing with a country that respected its pledges, or with one that repudiated, in one year, the pledges and obligations it had entered into the year before? With regard to that part of the hon. Baronet's Motion which referred to Greece, he would observe that it was vague, like many previous Motions expressing want of confidence in Her Majesty's Government. The language was such as to convey to people outside a totally different idea from that conveyed to persons who were intimately acquainted with the subject. The hon. Baronet asked Her Majesty to endeavour to procure for Greece the rectification of Frontier agreed upon by the Powers. What did the hon. Baronet mean by a rectification of Frontier? It was quite possible he meant two things. If he meant a general rectification of Frontier, he (Mr. Hanbury) agreed with him. It was agreed there should be a rectification of Frontier. But if he meant any particular rectification of Frontier, then he entirely disagreed with him, because they had only to read the Protocols to find that the line recommended was a most vague and general line indeed. Lord Salisbury said Her Majesty's Plenipotentiaries understood a line to be indicated in a general way, and M. Waddington made a statement explicitly to that effect. In quoting from the despatches of Sir Henry Layard, the hon. Baronet gave the House to understand that our Ambassador was not acquainted with the intentions of the Congress as regarded the exact nature of the Frontier line; but, only two lines below the extract quoted by the hon. Baronet, Sir Henry Layard gave the recommendations of the Congress, and said that the line did not give Janina to Greece. He maintained the line was very vague; and, as a matter of fact, looking at the map, he did not believe that Janina was actually included in the line. Then it was urged that if the proposals of Berlin were carried out Greece would have all she claimed. That was by no means the case. Mediation did not mean that one side was to have all it claimed and all the advantages of the bargain. It would be necessary to consider the attitude of Greece, and Greece had declared that not one inch less would she take than the line laid down at the Congress in Berlin. That was all very well, but the line was a vague one. No Frontier was agreed upon; there was simply a recommendation that Turkey should accept a vague, general boundary, as proposed at the Congress. When the hon. Baronet brought the charge against Her Majesty's Government of not having taken sufficient interest in the cause of Greece, he seemed to ignore what England had done for her. At the Congress England had been the best friend of Greece. He had heard it said on the front Opposition Bench by the noble Lord the Leader of the Opposition that the Treaty of San Stefano was, in many respects, a Treaty much preferable to that of Berlin; but if the Treaty of San Stefano had been carried out, then good-bye to Greece and her extensions. Therefore, it could not be said that the English Government had taken insufficient interest in the cause of Greece. The Greeks were perfectly satisfied with the efforts of Her Majesty's Government. Both the King and the President of the Council thanked the British Minister at Athens for what this country was doing for her; and even the right hon. Member for Greenwich (Mr. Gladstone), writing in *The Nineteenth Century*, said—

> "Her Majesty's Government assumed, to the great and general satisfaction of the country, the charge of the Hellenic cause."

It was, therefore, somewhat curious that, after so short a time had passed, a Motion should be brought forward which virtually impugned the conduct of the Administration with reference to the Greeks. A good many reasons were assigned why something should be done for Greece. There was a sentimental idea abroad upon the subject, and he had no doubt that in that idea many hon. Members shared. But what sentiment was there in the matter? The Greeks were simply the inhabitants of a country in which there lived some 2,000 years ago the famous men who might or might not have been their ancestors. Then they were referred to the plea of good behaviour; but Frontiers were not given to nations for good behaviour; but even if that was the case he did not think Greece could put forward such a claim. He was told that England was under obligations to Greece. Why, it was exactly the other way. When, during the Turkish War, Greece was likely to do mischief, England interposed and saved her from what would have been well-merited punishment at the hands of Turkey. Again, an appeal was made on the ground of nationality; but here they were on dangerous ground, for there were Mahommedans in these districts, and even in Janina. Did the people of this district wish to be annexed to Greece? In addition to interfering with the affairs of Thessaly and Epirus, Greece had followed a similar course in Crete, and had created so strong a feeling of disgust that a riot occurred among the Cretans, and several of the Greek agents were massacred. He could not think that, on the question of nationality, speaking on the nature of all the evidence before Parliament, there was anything to be said in favour of the proposed annexation on the ground of nationality. Then, again, it was said—"You are going to set the Greeks up as antagonists to the Slav; and, to prevent the Slav going further South, you ought to encourage the claims of Greece." It was a little too late in the day to make that objection, after the Treaty of Berlin had been agreed to, which gave such great powers to the Slav in Roumania and Bulgaria; but, even if it were not too late, had the Greeks ever shown any likelihood whatever of being able to cope with the Slav? A noble poet, who took the utmost possible interest in the condition of Greece, once wrote—

> "We have the Pyrrhic dance as yet,
> Where has the Pyrrhic phalanx gone?"

and this seemed to him to explain, as nearly as possible, the condition of the country at this moment. What was the one reason for which the recommendation of the Congress of Berlin was made? Simply and solely in order that Turkey might have rest on this subject, and on condition that Greece herself should give no further trouble to Europe. What did that imply? It implied that the Frontier which was to be drawn between Greece and Turkey should be a strong one; but it was impossible to read the statements of the Turkish Generals without feeling that, if the line roughly proposed by the Congress were adopted, they would have no kind of natural Frontier between Greece and Turkey. That was a formidable difficulty; but the real difficulty lay in the fact that Greece herself proclaimed most distinctly that, even if what was now proposed were given to her, she would not take it as a final settlement; and in this refusal he was sorry to say she was encouraged by the right hon. Gentleman the Member for Greenwich in one of his numerous contributions to periodical literature. Greece was now meddling in Crete and in Cyprus; she was maintaining as loudly as ever the possibility of a Byzantine Empire; and in all these instances it was much better for Her Majesty's Government to say to Turkey and Greece, "Settle this matter between yourselves," than to follow the course of those friends of Greece who proposed that a line should be imposed by an outside Power. If Greece entertained these indefinite ideas of extension, it upset the whole principles upon which the recommendations made in the Treaty of Berlin were founded. It was the want of finality in these arrangements which made Turkey hesitate before she took up these reforms. Indeed, the hon. Members who took up this line were playing into the hands of the unpatriotic Pashas, who would lose a great deal if real reforms were granted to all these Provinces, and into the hands of Russia, which Power did not want to see a reformed country on her Frontier. The hon. Baronet the Member for Chelsea declared that recent intelligence from Turkey showed that she was going from bad to worse. He maintained that that assertion was the very contrary of the fact, for the news received from Constantinople that very day showed that Khaireddin Pasha had gained a triumph over the Sultan; that was of the greatest importance, and was full of promise for the future prosperity of Turkey. In spite of all her difficulties, a great deal had been done by Turkey during the past year. In the first place, she had gone through the difficult operation of handing over vast Provinces to her conquerors. She had assisted in giving good government to Eastern Roumelia; she had given good government to Crete, the latter having been made a model Province. She had appointed able Governors to several Provinces, and given to some of these Governors a long term of office. She had also got the bad Pashas out of the way. [*Cries of* "Chefket Pasha!"] Of course, it was possible to point to the case of Chefket Pasha, and his retention in office was undoubtedly a great slur upon Turkey; but, certainly, some dangerous Pashas had been got rid of. Again, the organization of justice had been re-modelled, and, on the recommendation of Lord Salisbury, the tithe had been confined to a single Province. In many important respects Turkey had acted upon the recommendations of Lord Salisbury. She had appointed Europeans to control the *gendarmerie* and the Judges, and in this respect she had exercised a very wise discretion. Turkey had two great difficulties—one with reference to money, and the other with reference to men. The first of these difficulties ought not to be too much insisted upon, because Turkey must reform herself whether she had money or not. Turkey was, however, an agricultural country, and probably she could recover from her distress more easily than many other nations. He hoped, therefore, that in future they would hear less of this difficulty of money. As to foreigners, he was bound to say they were not a panacea for the evils of Turkey, for some of the foreigners formerly employed in that country had turned out to be as great scamps in their way as the Turks themselves. He considered that the Motion of the hon. Baronet the Member for Chelsea was premature. After all, they had to deal with the Sultan and the Pashas, as being for the present the only possible Governors of Turkey. They must endeavour to do them justice, bad as they might be or good as they might be. If the Turks failed, who were to come in their place? They could not divide Turkey in Asia as they had divided Turkey in Europe. If the Turk fell, the Russian must come. Turkey in Asia was largely a Mahommedan country, and what would be the fate of the Mahommedans under Russian rule? Many of the Christian population were not of the Greek, but of the Latin Church, and they might judge of what would be their fate from their experience of the treatment of the Latin Christians in Russia itself. He advocated also, in the interests of his own country, that they should give this the only possible Government in Turkey a fair chance, because, if the Turkish Government were to fall, there would be an upheaving of the great deep and a beginning of trouble, which would involve us and Europe in a long and costly struggle, of which no man could foresee the end. The hon. Member concluded by moving the Amendment of which he had given Notice.

MR. GLADSTONE rose, but gave way to—

SIR H. DRUMMOND WOLFF, who said, he regretted to stand between the House and the right hon. Member for Greenwich (Mr. Gladstone); but he was about to second the Amendment. He desired to express his gratitude to his hon. Friend the Member for Chelsea (Sir Charles W. Dilke) and the hon. Member for Reading (Mr. Shaw Lefevre) for the kind manner in which they had spoken of his recent labours in Eastern Roumelia. Although he and his noble

Friend (Lord Donoughmore) might have been chosen as Party men to serve on a Bulgarian Commission, they were determined to execute their task irrespective of Party politics; and the instructions they received from Her Majesty's Government were that they should carry it out on the principles of local self-government and free institutions, which had been so successful in this country. He also expressed his acknowledgments to the right hon. Member for Greenwich for having said, in a letter he had written to some Bulgarians who had sought to enlist the right hon. Gentleman in favour of setting aside the arrangements of the Treaty of Berlin, that he would offer no opinion on the matter until he had seen the results of the Commissioners' labours. Before he went into the question of the non-fulfilment of this Treaty he would point out that there were other Treaties, the stipulations of which had not been fulfilled. The Treaty of Vienna was still unfulfilled in many points, and in 1848 or 1849 Lord Palmerston used some forcible language about its non-fulfilment in regard to the City of Cracow. In 1856, shortly after the Treaty of Paris was signed by the Representatives of the Powers, the English Government was obliged to adopt the strong measure of sending the Fleet to the Black Sea before it could compel Russia to comply with the stipulations of that instrument. The hon. Member for Chelsea had not treated the matter fairly in merely singling out the non-fulfilment of certain stipulations by Turkey; for, as his hon. Friend the Member for North Staffordshire (Mr. Hanbury) had already pointed out, there were many other unfulfilled stipulations of the Treaty, though they had heard little of them. For instance, the fortresses of Bulgaria had not yet been destroyed, and the Jews had not yet been emancipated in Roumania, and were not entirely so in Servia; but he could bear testimony to the fact that the Turkish Commissioners on the Commission in which he acted were the strongest in supporting the principles of civil and religious freedom on which the Constitution drawn up for Eastern Roumelia was based. The hon. Member for Chelsea said they had not re-established the direct rule of the Sultan in the Province, and that the "bag-and-baggage policy" had been carried out. Well, it was not for the hon. Baronet to blame the English Commissioners even if that were so. But he thought that the direct rule of the Sultan existed quite as much in Eastern Roumelia as that of Her Majesty did in the Isle of Man and the Channel Islands. The Queen had the right of garrison in the Channel Islands, and of giving her assent or dissent to the Acts passed by their local Legislatures. The Commissioners were instructed to establish the direct political and military rule of the Sultan as far as concerned the external defence and protection of the country; but they were also instructed to give the Province an autonomy based on the law of the vilayets and on the decision of the Conference of Constantinople, in which Lord Salisbury took so prominent a part, and which conceded the widest local liberty. The hon. Member for Chelsea said that Aleko, the Governor of Eastern Roumelia, was not a Turkish Pasha. If he was not that he did not know what he was. He had been all his life in the Turkish Service. At one time he was a Secretary of Legation, and afterwards he became Ambassador at Vienna. He was a Turkish subject, a Greek by education, and a Bulgarian by birth. He had arrived at the Frontier in a fez. The Russians had then sent to him what is usually called a "billycock" hat as a compromise. His Excellency had, however, assumed the kalpak. He (Sir H. Drummond Wolff) thought the importance of the question had been much exaggerated. To put on the kalpak, which was the national head-dress, could hardly be said to involve a formidable attack on the authority of the Government. If they could suppose such a thing possible as an insurrection in Scotland, it could hardly be thought, when it was appeased, that if a Governor went to that country in a kilt he thereby made a great attack on the integrity of the British Empire. The hon. Member for Chelsea said that the Turks were prepared to extend the Eastern Roumelian statute to the other Provinces of European Turkey only as far as claiming tribute was concerned. But this statute placed the whole question of taxation and its collection entirely under the control of the local Legislatures, so that it would be impossible for the Turks to lay hands upon any portion of the revenue not assigned to them without the consent and assistance of the local authorities, who would have the matter completely in their own hands. His hon. Friend had also spoken of a statement of Lord Salisbury's to the effect that the Commission was only to last for three months, within which time the other reforms ought to have been completed. They met for the first time on the 30th of September, and the three months would have terminated at the end of December. But the Commissioners felt it would be utterly impossible to finish their labours by that time, and in answer to communications from them the different Governments agreed to extend the time. But even if, for certain purposes, their Commission had expired after three months' time, it was provided by the 19th Article that the European Commission should continue to administer the finances of the Provinces till the new organization was complete. As it happened, they only handed over the administration of the finances to the local authorities about the 1st or 2nd of June; and, therefore, he thought that complaint fell entirely to the ground. The hon. Member for Chelsea had quoted a statement of his to the effect that the want of money was no excuse for the Turkish Government, and contrasted it with something Lord Salisbury had said in "another place." But the hon. Member seemed to him to be in some error, inasmuch as Lord Salisbury's language referred to reforms not in European but in Asiatic Turkey. For his own part, he still maintained that the want of money was no excuse for delaying such reforms as the drawing up of reforms for the European Provinces. He thought Turkey was very much to blame in this; and, though he could not support the Resolution of his hon. Friend opposite, he believed that a strong expression of opinion on the part of that House was most desirable in order to force upon the Turkish Government the necessity of carrying out such reforms. The hon. Member had also alluded to certain atrocities now occurring in Macedonia. He (Sir H. Drummond Wolff) had gone with no preconceived opinions, and had been most particular in inquiring into the question of atrocities. He had sent his Private Secretary, Mr. Walpole, *Times*' Correspondent, who was by no means a Turcophile, into a neighbouring village, and later alone into Macedonia, and he must say that there were very great atrocities being committed on Turks by the Bulgarians. One case was reported in the Blue Books. In another case he had been informed by some Turks that they had been driven out of their village by the Bulgarians with the cognizance of the Bulgarian head-man, and their wives had been violated. These Turks refused some money which he offered them, saying it was no good taking it because they would be at once deprived of it. These facts would all appear in the Blue Books. The two gentlemen whom he had mentioned went at his request to examine into the matter, and they certified to the truth of all these statements. There was another very recent case in which some Bulgarian zaptiehs went into the house of a Turk and asked a woman where the money was. On her refusing to tell, they stabbed her in one or two places and put burning coals on her breast until she gave the information they demanded. He had sent his private secretary and his official secretary, who took a deposition as to the fact. He did not dwell upon these cases very much, because in times of war and disturbance great horrors would happen. But it was not quite fair to charge these horrors entirely on the Turks. The object of the Commissioners was to establish such a system of police in Eastern Roumelia as to prevent this kind of hostility between the races in the future. He was convinced it might be done away with. In some parts of Eastern Roumelia the Turks and Bulgarians were, at the present time, on very good terms; and he had great hopes that when the Russian Forces were withdrawn, and the country had become absorbed in agriculture and commerce, the two peoples might live very well and happily together. He did not deny the existence of Turkish atrocities; but they ought to acknowledge that there were atrocities on the other side as well. He would not go into the question of Greece, as he had not been able to follow it closely; but he was of opinion that the wisest thing Turkey could do would be to come to terms with Greece as speedily as possible. The House would recollect that the question did that a decided expression of sentiment from this House, urging Turkey forward in the path of reform, and conveying to Turkey the conviction it entertains as to the policy of her excuses, would be an expression of the utmost value. Then, with regard to the rest of the Motion, it appears that Turkey will endeavour to procure for Greece the rectification of the Frontier agreed upon by the Powers. Well, Sir; but the hon. Gentleman, in the same spirit of ingenuousness as well as intelligence which characterized his speech at large, stated, in his judgment, as totally distinct and different from, and at variance with, and in contradiction to, the Mover of the Amendment, that it was essential to the interests of Turkey that she should proceed to a prompt settlement on the lines of the Treaty. Well, Sir, I entertained very lively hopes, under these circumstances, that we might have had the benefit of the vote of the hon. Member. Not having the benefit of his vote, I am still more grateful for the strength and encouragement we derive from the whole tenour of his speech. Let us hope it will be reported, as having come before the hour of midnight; it will be reported with greater accuracy and precision than those who, like myself, fall upon still more advanced hours. I trust it will be circulated far and wide; for I am sure, coming as it does from a Gentleman of intelligence, who has had the confidence of the Government, and has lately been engaged in important duties in Turkey and has come back from there, and from his knowledge and experience of the country, that it will have a most beneficial effect. When I turn to the speech of the Mover of the Amendment (Mr. Hanbury), I am very sorry to say that I am unable to hold a similar strain of language. The Mover of the Amendment, Sir, is desirous of appearing as a supporter of the proceedings of Her Majesty's Government; but it is evident that he altogether disapproves of the important despatch written by Lord Salisbury on the 12th of June, which is, in point of fact, a manifesto of the prospective policy of the Government. If it is not a manifesto of the prospective policy of the Government, it would be a gross delusion on the House, coming, as it does, at the close of the volume; but, on that point, I do not entertain the smallest doubt. I accept it as a clear and luminous description of the bases on which they mean to proceed, and it is totally at variance with the views and sentiments of the hon. Gentleman who moved the Amendment. He is not only at variance with the Government, but he is at variance with the Treaty of Berlin. He objects altogether to that Treaty. He says the Frontier, in the first place, is a very vague and unintelligible one; and, secondly, that it is a very bad one. He says what is necessary is not that the Powers should intervene, that the Treaty should be fulfilled, and that the operations should take effect; but he thought Turkey and Greece should be left to settle it between themselves. That is to say, that they should go to war with one another —[Mr. HANBURY: No, no.]—Is not that the meaning of "settling it between themselves?" Does the hon. Member suppose that a settlement between them can be attained in any other way excepting by the authority of the Powers? If he does think so, I believe he is the only man in this House who thinks so; and he certainly is the only man who is governed by a credulity which I should be sorry to impute to a Gentleman of his intelligence. A settlement between Turkey and Greece either means nothing at all, or it means a settlement by the strong hand—by force of constant rebellion, fed and fomented in the Turkish territory by the direct sympathy of Greece, by the invasion by Greek Forces to support that rebellion, and by the occurrence of a state of things so dreadful that the interference of Europe would be an absolute necessity for the purpose of bringing about a settlement. The hon. Gentleman appears simply as an enemy of the Treaty of Berlin — in that point of view in which he touches the Treaty in a definite manner. I do not suppose he regards the earlier portion of the Motion. No objection can be taken to the desire of urging the Turkish Power forward. "In the immediate execution of reforms," is an expression in itself so general that it conveys no inconveniently rigid demand upon Her Majesty's Government so as to fetter their discretion. The definite part of the Motion of my hon. Friend is that to which I will now address myself—namely, that which proposes that the Government shall endeavour to procure for Greece the rectification of Frontier agreed upon by the Powers, because, he says, this rectification is bad, and a rectification which ought not to be made. What are the reasons the hon. Gentleman advances in support of his extraordinary attack on the Treaty of Berlin? With regard to the character of the recommendation, he says it is extremely hard to attack Turkey, for that in Turkey the people are very good, and the Pashas and the Government are very bad. He speaks as if my hon. Friend the Member for Chelsea was anxious to apply force to the people; but it is to the Pashas and the Government that he wants to apply force; and, therefore, the Mover of the Amendment ought to be extremely glad that this corrupt Government, whose faults he has described, and takes credit to himself for describing, are to be placed under pressure on the authority of the Powers of Europe. He makes all manner of charges against the Greek Government and peoples; and against me he makes charges the most groundless that I have ever been subjected to, though they are not very serious. He made them out by quoting, as my own sentiments, the account I gave of the Greek Memorandum.

MR. HANBURY: I beg pardon. I distinctly quoted the right hon. Gentleman's words. I quoted four instances —half the first were his, and the whole of the next.

MR. GLADSTONE: I know the hon. Gentleman did. He began his main quotation, and the only quotation which, in the slightest degree, went to the point, with words in which I have described the purport of the Greek Memorandum; next he read words which are historical, which are perfectly true, which are perfectly just, and to which I adhere; and they do not bear one shred of the meaning the hon. Gentleman ascribes to them. It is perfectly true that the principle on which the Congress proceeded at Berlin was a principle that would have justified the wider recommendation that France had asked for, and that Lord Palmerston, and Lord Russell, and the Cabinet of Lord Palmerston in 1862 had made a wider recommendation. But he did not quote these for the purpose of insinuating and saying that the Greek ought not to be satisfied with what the Congress had recommended. Not one word can he find to justify that. He may choose to suggest the insinuation; but, with the recollection of what I wrote, I challenge him to produce it, showing one word to that purpose. What I did was this. I showed that the wider recommendations that had been made by France, that had been made by Lord Palmerston, and that might have been involved in the proposal, were so many reasons why Turkey should promptly acquiesce in that settlement now made, and why Her Majesty's Government should vigorously set about promoting that settlement, in order that Turkey might get—what I always desired she should have—the best settlement of which the circumstances permitted for the disposal of this part of the question. The hon. Gentleman says the Greek Government has been meddling in Crete and Cyprus. What do we know of that? The hon. Gentleman has given us no details, no particulars, has quoted no authorities; but seeks, by raising a vague prejudice against the Greek Government, to draw the House off from the purpose we have now in view. The hon. Gentleman charged the Greek Government with one act which, he said, was an act of misconduct—the sending of the Army across the Frontier. But that was done before the Congress at Berlin, and before the time when, for a very short period, the British Government made themselves champions of the Hellenic nation. It has acted in good faith since the judgment given by the Congress — since the mediation recommended by the Congress. The hon. Gentleman says that the people of Epirus and Thessaly do not want to be annexed to Greece. Where is his authority for that? That is his opinion, and in that opinion he is perfectly in conflict not only with—I will not say the opinions on this side of the House—but he has here also come into conflict, and in direct conflict, with the opinion of Lord Salisbury. He thinks that Epirus and Thessaly may very well remain under the rule of the Sultan. [MR. HANBURY: I quoted the opinion of Sir Henry Layard.] Does the hon. Gentleman think that Epirus and Thessaly will remain under the rule of the Sultan? But, if he quoted Sir Henry Layard, I can only say he is in complete conflict with Lord Salisbury; because his Lordship, with great good sense, in the despatch of the 12th June, after urging upon the Sultan the consideration that the territory in question is rather a source of weakness than of strength, adds, that if he retains this district under his dominion it will

> "Bear him a reluctant allegiance. Being Christians, they do not add to the number of his Army; that in time of trouble their discontent is a standing source of danger and a steady drain upon his defensive power. The desire, which has been chronic among them for so long, prevents them from yielding any revenue compatible with the cost which it imposes."

The hon. Member comes here as a friend of Turkey. I have no doubt that he is the friend of Turkey, but he is one of those friends who have lured on Turkey to her destruction; and now he is advising Turkey not to give way, not to accede to the demands of the Powers, and not to listen to the authority of Europe. That was the whole tenour of his speech, and it wound up with a recommendation that the Powers should abandon their solemn conclusion, and leave the matter to be settled between Turkey and Greece. Well, Sir, I do not recollect whether there is any other important allegation made by the hon. Gentleman that it is necessary for me to mention; but he spoke, I remember, of the impossibility of regenerating the Turkish Empire in 12 months, and then of certain things which had been done in the way of reform. When he spoke of making a good appointment, he was naturally reminded of the case of Chefket Pasha, perhaps one of the greatest miscreants on earth, who was so described solemnly by the British Government, and who was indicated by the British Government as a man whose crimes called for condign punishment. That man has been favoured, petted, kept in good offices, placed in disturbed districts, invested with the power of determining the happiness and misery of hundreds of thousands of people by the Sultan and by Pashas upon whom the hon. Gentleman said—"For God's sake do not exercise pressure." Then the hon. Gentleman spoke of Midhat Pasha. I know that Midhat Pasha is, among all their enemies, the most formidable, and more than formidable, the most repugnant to the subject-races. The hon. Gentleman says the Sultan has appointed him for five years. I do not know whether he is so appointed, and I confess I care very little if he is so appointed. A man of that class is certainly likely to be appointed somewhere; but I decline entirely to accept that appointment as a proof, such as he wishes me to take, of the commencement of reform in Turkey. Then the hon. Member has spoken of the appointment of Photiades Bey in Crete for five years. I believe he has not received an appointment of an irrevocable character. I believe if Photiades Bey were appointed under a valid instrument not revocable that he would probably be a very good Governor of Crete; but I am obliged to confess myself in conflict with the hon. Gentleman on the point of fact, and judging from my information, derived at least from a man of great experience in Crete who ought to be well informed, Photiades Bey holds his appointment from day to day, depending altogether on the breath of the Sultan and the officers by whom he is surrounded. Well, now, Sir, if I may leave the question—Oh, yes! there was the other point. We have recently heard of the re-organization of the Judges, of the reform of the Judicial system. We have been so profitably busy about it in this country for the last 50 years that the hon. Gentleman was quite justified in supposing that that would sound to us as if it were a great title for commendation. The statement he made was that 183 Judges had been appointed—which was more than the whole Judicial Staff in this country — and that out of these 166 were Mahommedans. [An hon. MEMBER: 83.] The hon. Gentleman may be better informed than I am; but I must speak from the information I have received. But out of these Judges nearly all are Mahommedans. The appointment of a number of new Judges is no sign at all of the reality of improvement in Turkey. Let us hear from the lips of responsible Ministers that progress is being made, and then we will begin to believe it. The hon. Gentleman is old enough to reflect and to remember what took place in former times in Turkey—after the Hatti-Cheriff in 1839. After the Hatti-Humayoun in 1866, there arose a great promise of reform — nay, more — there were real beginnings of reform. It is only just to Turkish statesmen to say that after the Hatti-Humayoun of 1866 there were some real beginnings of reform. But we have now given Turkey 12 months, and we have not heard from the lips of responsible Ministers of the Government, who would not speak without knowing that they are well informed, any real assurance of any real progress made—of any district better governed, and in the single instance which amidst the pressure of Parliamentary Business a particular case has been cited — namely, the case of Armenia, the language held has been totally different. Not a project has been advanced, not a hope even has been ventured that any improvement has been made. Well, now, Sir, it was necessary for me to notice these points of the speech which referred to the case of the Greeks, and which were intended to prejudice the Greek Government in the eyes of the House, as the hon. Member also thought to prejudice the case in the eyes of the House by talking about the dangers that were to follow the downfall of Turkey. Perhaps dangers would follow the sudden downfall of Turkey; and, if so, that was the more reason for not following the advice of the hon. Member, because it was to him and other so-called friends that a very large part of the dangers of Turkey are now due. They have had their way. What has happened during the last three years? Who is responsible? Are not you in the majority? Have not you had countless triumphs in this House? Have you not had the whole power of the Empire at your back? Do you think, then, you can come here and say that the minority has marred your valuable efforts, or has baffled you? If you are a majority, you are the Parliament of England. You are the Queen's Government. You are the House of Lords and the House of Commons. You say you also have had the people at your back. I should think, then, the hon. Gentleman himself would be ashamed that the handful of persons sitting on these Benches have been enabled to baffle the operation of that enormous powerful machinery, or to say that by its combinations the whole forces of your policy have been so enfeebled and made useless that its efforts have resulted in the prostration of Turkey, in the humiliation and mutilation of Turkey, in the increased weakness and corruption of Turkey, and in the aggravation of every danger which it was your duty to avert. I hold, on the contrary, that the best friends of Turkey are those who, at an early stage of the controversy, in plain and decisive language, without any of those innuendoes which sometimes destroy the force of language, laid before Turkey the necessities of the case, and cast upon her the responsibilities of the evils that her misconduct or folly might entail, and did not exclude from their view that ultimate possibility, which was then first brought into action, that Europe, for the sake of peace, even for the sake of Turkey itself, might be obliged with strong hand to interpose. Moderation in the demands that you may make of her, firmness and earnestness of purpose, and no equivocation in the manner in which you press them—that, I believe, is the proper policy to pursue. But the Amendment of the hon. Gentleman is totally different from the Motion in more than one particular. The point of difference, however, to which I would draw the attention of the House, is this. The Amendment of the hon. Member is entirely a retrospective Amendment. It expresses satisfaction with what has been done, and approves the steps that the Government have taken. My hon. Friend entirely avoids that ground in his Motion. Having the Papers in his hand, he felt it necessary, in his most able statement, and my hon. Friend near me (Mr. Shaw Lefevre) also felt it necessary, to go over that ground. But it is his Motion with which we have to do. That is entirely and wholly prospective. But it does not imply any censure whatever on Her Majesty's Government. Now, Sir, if I am to go back upon the past, I am bound to say I must agree with him in all his criticisms on the course Her Majesty's Government took; but I do not wish to go back upon the past, for there is something better we can do. I say there is something better; and that is, to do what my hon. Friend invites us to do—to look straight to the future, and to endeavour to do so without prejudice and without animadversion upon Her Majesty's Government, and to assist Her Majesty's Government with the weight and authority of this House in procuring the general fulfilment of those portions of the Treaty of Berlin essential to the happiness of the people of Turkey, for whom my hon. Friend is so solicitous, and particularly and specifically to procure the carrying out of the clauses of the Treaty, and the consummation of those relating to the Frontier of Greece. No doubt, it is our duty to call Her Majesty's Government to account—to criticize their conduct, and to find fault with them in whatever way our understanding and conscience may dictate. That, no doubt, is a part of the duty of a Member of Parliament; but it is a duty which he certainly need not be so enamoured of as to flaunt it about, and resort to it on every occasion, particularly when it may come into conflict with the attainment of useful objects. If it be a duty to animadvert on the policy of the Government where we think they have gone wrong, it is certainly a much higher duty to waive retrospective criticism, and to use the influence of the House to mitigate the serious evils which afflict the East, and to promote the happiness of the populations of the Turkish Empire. This is what my hon. Friend asks the House to do. He asks the House to do no more than that. He begs you generally to press for the prompt execution of the Article relating to reforms, and that an undertaking may be given that the Articles of the Treaty may be carried out, thereby endeavouring to procure for Greece the rectification of the Frontier agreed upon by the Powers. Is there anything improper in that? I am sure Her Majesty's Government will not tell us that we must not interfere because negotiations are going on. There is a perfectly distinct Article in the Treaty that is the completion and consummation of a great negotiation, and what we want is the application of that, and that is not a matter which ought to be or which could be affected by complicated negotiations when the views of the Powers are unknown. The Mover of the Amendment seems to think that the Treaty is very difficult to understand upon this subject. He says, and says quite truly, and quotes Lord Salisbury as his authority, that the Frontier line was generally indicated, and not indicated with precision, by the Treaty of Berlin. That is perfectly true; but is that any reason why we should not ask the parties who are competent to interpret their own words to proceed to do so, because the hon. Gentleman may happen to think, or I may happen to think, or anybody else, that these words are difficult to construe? That is no reason why the words should not be construed by the proper authorities. We are not the proper authorities. The proper authorities are the Powers who conducted the negotiations. I presume they know their own meaning. I believe they do know their own meaning. I believe that these difficulties are perfectly airy and theoretical. The French Government, at the foundation of the Greek Kingdom, made most intelligent studies of the whole question of the Frontier, and contributed very greatly at that important period, if not to secure to the Greek nation a good Frontier, at least to prevent her having a much worse one than she actually got. If you will procure them, you will find they knew perfectly well what this Frontier is, and ought to be. That is not a question, at any rate, to be regulated by talk about vagueness, encumbered with words that are nothing to the purpose. There is no fear of the result. What is our fear? It is that we are interrupting the peace of the land. We should raise our voice in defence of those arrangements which are for the interests of justice, peace, and reform in these countries; and, for that reason, what we ask is that Her Majesty's Government will work in co-operation with other Powers in order to bring this matter to a speedy consummation. Let the hon. Gentleman say, if he likes, that this question can end in but one way. I have never incited, and I will not incite, or endeavour to incite, the Government of Greece not to regard this as a final measure. The only communication I have had with any person connected with the Greek Government on this subject is this—namely, to make known my belief that Lord Salisbury was perfectly justified in saying that if Turkey acquiesced in the arrangement contemplated at Berlin it might be fairly asked of Greece that she should give satisfactory assurances for her future good conduct. I charge the hon. Gentleman with misrepresenting me, and he enabled me to refute what he has said, by referring to actions of mine in a totally opposite sense. I entirely disclaim the intention, and I am perfectly willing to sympathize with the hon. Gentleman and the Pashas in their desire for finality, if that were really a difficulty. As I have said, this can only end in one way. Greece, weak as she may be, is yet strong in the principles on which she rests. She has the assertions made by the Turkish Government; she has the strong sympathy of these populations; she has the assertion of the uselessness of these populations to the Sultan; she has, on record, the engagements by this country, now some 13 months ago, promising our careful consideration, which is well known to mean the favourable consideration of some of her territorial claims. She has got certain words inserted in the Treaty; she has got a description of a certain line of Frontier. That line of Frontier is a line which, like every other line, is different from a line drawn along the surface of the earth; but the subsidiary arrangements are such that they must be made by the same authority which declared the line in principle. What we ask is, that the declarations of Her Majesty's Government ever since Lord Salisbury and Lord Beaconsfield came back from Berlin shall be fulfilled. One of the earliest declarations, constantly repeated over and over again, was that "the Treaty of Berlin shall be fulfilled in the spirit and in the letter. We have never receded, and we do not believe and cannot believe that anybody will recede, from the Treaty of Berlin; but, whoever does recede from it, the Government of England will not be the people to do so." This was accompanied by the announcement that the Greeks had now the opportunity of obtaining a larger share of territory from Turkey than any of those rebellious subjects, as they were called, who had taken part in the war had previously obtained. These assurances held out by this Government cannot be forgotten. They weaken your hands, if you are to attempt to interrupt the fulfilment of that arrangement. Greece may be weak, but, rely upon it, she will not recede; and I will go further, and say, she will not recede from that which Europe has promised her. She cannot have higher sanction than that of Europe. In my opinion, it was very mistaken policy to sever Eastern Roumelia from Bulgaria; but so strong is my respect for that settlement that during the whole period of that arrangement I have never opened my mouth for one word of criticism. We must, Sir, respect these conclusions at which the Powers of Europe arrived. In combinations and circumstances so difficult and complicated as these, if you are to unsettle them on small cavils and private opinions, there never can be peace, there never can be progress towards the settlement of national questions. We have now reached a point at which our duty is to form the best judgment we can upon the policy of Her Majesty's Government so described. As I understand, the despatch of Lord Salisbury refers to previous proceedings of the Government in which a more limited settlement of territory was proposed. It likewise refers to a preference which the Government had entertained, as I should say very mistakenly, in favour of a postponement of further proceedings; but it is purposely stated at the bottom of page 234 that they have not thought it right to insist on their views in this matter in opposition to the Powers' expressed opinion, and, therefore, that line had been abandoned. Lord Salisbury goes on, in the course of a rather lengthy statement contained in page 235, to express the views upon which Her Majesty's Government intend to act. Of course, Sir, I do not pretend, and have no right to pretend, that I have any information as to their meaning beyond what I can draw from their official language. I read that official language with great care, and with as much candour as I can apply to it. I understand it to mean that Her Majesty's Government, reserving, of course, to themselves, and properly so, the same right of interpretation that belongs to every other Power, yet, notwithstanding that, they intend to require from Turkey that she shall accept the general line of recommendation at Berlin. Sir, if the general line is kept, upon that very little difficulty will remain. It is impossible to admit the claim as to Janina. I am reluctant, independently of the lateness of the hour, to enter into the argument about it, because I feel that the authority of the Treaty is something very much higher and stronger than any argument I can use. But this I will say—and the hon. Gentleman himself did not for a moment contest the fact—that the people who inhabit the district of Sandjak and Janina, and who form about one-half of the whole population of Epirus, are, in an overwhelming majority, Greeks by language. Of that there is no doubt whatever. A handful of Turks dwell in the town of Janina, and they are, unfortunately, men of station and position; but the population are a Greek-speaking population, and they are very strongly Greek in their sympathies. That is declared in Lord Salisbury's despatch. More than that, I doubt whether this House is aware how intensely Greek the City of Janina is. It is more Greek than an ordinary Greek city. Five hundred Epirot students are in the University of Athens. I need not say that they have got no Turkish University. But, Sir, I will go a little further, and I will quote the unprejudiced and unsuspected testimony of Lord Byron in the year 1810, before these troubles began. In that year, commenting on the statement that Athens is still the most polished city of Greece, he says, in these few interesting words—

> "Perhaps it may be of Greece, but not of the Greeks, for Janina in Epirus is universally allowed amongst themselves to be superior in the wealth, refinement, learning, and dialect of its inhabitants."

Three thousand years ago, this was the cradle of the Greek nationality. I do not mean that the precise site of the city was the centre; but, at any rate, there, or within six miles of it, was the cradle of the Greek nationality, and of the Greek religion. The hon. Gentleman who moved the Amendment says there have been mixtures of races there. Have there been no mixture of races in England? Are we Danes, are we Saxons, are we Romans, are we Normans, are we Celts? [*Laughter.*] If laughter is to be excited in that way, very good laughter indeed could be made at the mixture of races which prevails among ourselves. I cannot but believe it is one of the greatest conditions of the excellences of human nature. Such is the case with Janina. It is Greek, which is not to be disputed; but it is Greek with a singular and marked character. The Turks do not claim Janina. Nowhere, that I can find, have the Turks said—"Give us Janina, and then we will be satisfied." Their old argument is—"No, we must have the whole country down to the Gulf." They are vitally at variance with the whole of the Powers, and the best mercy that the Powers can show will be to do to-day what Safvet Pasha recommended some 12 or 14 months ago—that the will of Europe should be announced to them, and that they should be made to attend to it peremptorily. I cannot conceive myself anything more unfortunate than that we should continue to keep Turkey in the midst of her difficulty by the sort of encouragement given to her, and that has been given to her to-night by the speech of the hon. Gentleman, by these vague apologies and vague professions of friendship to her, of which she has had enough. If we say, "We have had enough of her promises of reform"—and I think we have—I think she is entitled to retort upon us that she has had enough of our promises of friendship. Bleeding as she is at every pore under our encouragement, groaning under the burdens which we have encouraged her to undertake, I think that Turkey has great reason to complain, and I think she has a very great disposition so to complain. I do think it is most important to her to have a friend. We cannot expect, at any rate, we do not in this House believe, that Russia is likely to be that friend. The Empire of Austria is assuming, almost from month to month, a position more and more formidable, and of more and more undisguised hostility to Turkey. It is laying its plans for distributing the Provinces, for acquiring and appropriating these dominions, and for opening to itself the territorial frontier to the Ægean Sea. To endeavour to create some friendship between Turkey and the Hellenic race would be a wise and judicious policy, and it is that policy which we ask you to-night to adopt. I believe it is fairly founded on the basis that is described in this despatch—that is to say, the suggestion indicated is a reasonable suggestion by the Congress at Berlin—and, on the other hand, the giving of assurances and guarantees from Greece for the observance, and the faithful observance, of good neighbourhood to Turkey. That is what we ask the House of Commons to pronounce. I believe it is a demand not only agreeable to all the interests in view, but a demand which is most agreeable to the vast mass of the people of this country—a people who have been much divided in regard to the questions between Russia and Turkey, who have suspected everything connected with the Sclavonic progress, because of its supposed association with Russia, but a people whose sympathies with the Hellenic interests are unquestionably large now, as they have been in former times. We ask you, therefore, to adopt this step, to allow this House to express its views for the fulfilment of the Treaty of Berlin. The Prime Minister said, on the 9th of November last, that, if necessary, he would appeal to the people to obtain the full accomplishment of the Treaty of Berlin, in the letter and in the spirit. Sir, it is not necessary for him to go so far as that. If he appeals to the House, we know that upon that side of the House his application will be favourably entertained, and he certainly will have on this side a warm and enthusiastic answer to his appeal. We trust that Her Majesty's Government will not take upon themselves the responsibility of forbidding these attempts of the House of Commons to concur with them in giving effect to the concert of Europe for a purpose declared by European authority highly favourable to the interests of freedom, but that they will be disposed to give their assent to the Motion — I think the most reasonable Motion—of my hon. Friend the Member for Chelsea.

MR. BOURKE: Mr. Speaker, I am quite sure that every hon. Member now present will admit that there is nothing more irksome, or more disagreeable, than addressing a weary House of Commons. I regret, Sir, that it should have fallen to my lot on this occasion to do so. At the same time, I do not think it would be respectful to the House, occupying the position I have the honour to hold, if I were to abstain from stating, as I will do very shortly, my views on the Motion now before us. And first let me say that I think it is very satisfactory that we have so many prominent Members of the Liberal Party in this House who are anxious to advocate the more perfect fulfilment of the provisions of the Treaty of Berlin. After the many vigorous denunciations, uttered both in this House and in the country against the Treaty, and considering that it has been declared by eminent Members of the Party opposite that it would be absolutely impossible to carry out its main stipulations—considering also that the provisions, the execution of which has been characterized as impracticable, have now been either executed, or are in process of execution, it is consoling to my mind that we have now a proposal made to us by the hon. Baronet opposite (Sir Charles W. Dilke) for an Address to the Crown, praying that the Crown will use all its endeavours to secure the carrying out of the other Articles of this Treaty which remain unexecuted. The Motion of the hon. Baronet points to two distinct things—the first is, the reforms in Turkey; and the second, the claims of Greece. Now, I say most sincerely, and without the fear of contradiction, that both of those subjects have, from first to last—from the beginning of the protracted struggle which has gone on in Turkey for a period of four years—been prominently before the mind of Her Majesty's Government, who have, in fact, never ceased for one moment to be fully awake to their importance. Sir, amongst the many subjects which the hon. Baronet opposite has treated, there was one that he touched upon rather lightly, and which was afterwards adverted to by the hon. Member for Reading (Mr. Shaw Lefevre), to which I wish to allude at the outset, because I fear that, in my short address, I shall have to say some very disagreeable things; and, therefore, I wish to begin by saying something that is more agreeable than those topics to which I have alluded. I was, I must say, considerably relieved by finding that those hon. Gentlemen, although they made an attack on the Government in respect to nearly every point to which they referred, did not attack the Government on the question of Crete. It has, on many occasions in this House, certainly been insinuated that the Government have not been alive to their duty in many particulars; and they have even been charged with being dead to their duty. But now that the Papers have been produced, and the policy of the Government has been fairly placed before the House, it is satisfactory to find that no fault is imputed to them in regard to Crete. And I must here pay a tribute to our Consul in that Island which I think is well deserved, because it will be seen from these Papers that that gentleman has, from the first, endeavoured to obtain for the Christians in Crete all the liberties which they are entitled to enjoy. Sir, on many occasions, the good offices of England were solicited by the Cretans; and we have the satisfaction of knowing that although, quite lately, the Cretan Assembly did make the most formidable demands upon Turkey—demands which a short time ago we could not have supposed that Turkey would concede—yet, mainly owing to the exertions of the English Government and to English influence, all the demands made by the Assembly have been agreed to by Turkey with one exception. As it is now, we have some chance of getting a good Government in Crete, provided only that Photiades Bey, and other good Governors who have the welfare of the people at heart, shall be really secured in the government which they at present hold in that Island. Sir, now with regard to the 23rd Article of the Treaty, and the reforms in Turkey in Europe; that subject has already been so exhausted by my hon. Friend the Member for Christchurch (Sir H. Drummond Wolff) that I do not think it is necessary that I should weary the House by entering upon it. But I think I should not be doing my duty, as this is the first time I have had an opportunity of speaking of the labours of my hon. Friend, if I were not to take this opportunity of saying that I believe no portion of the labour which has been bestowed upon Turkey of late will be of so much good in the end, or will produce so many valuable results, as that great work in which my hon. Friend has been engaged in concert with my noble Friend, Lord Donoughmore. But, the hon. Baronet opposite (Sir Charles W. Dilke), I must say, in treating this subject was, as I am sorry to say he has been before, rather hard upon Sir Henry Layard; and I must certainly take this opportunity of pointing out in the strongest terms that Sir Henry Layard, in addressing the Porte on this occasion, used no less energetic language than my hon. Friend the Member for Christchurch employed. Sir Henry Layard is not here to defend himself, and the hon. Member for Christchurch is. And I must say that when absent persons are performing their duty as well as they can to this land, it is, above all things, the first duty of those who represent them in this House to take care that their actions are not misrepresented in this House, and that they do not receive a less favourable construction than they deserve. Now, Sir, the hon. Baronet mentioned the remonstrance of Sir Henry Layard as being a very mild remonstrance indeed to the Porte upon the subject of their defaults.

Sir CHARLES W. DILKE explained, that what he had said was this—that the remonstrance was very strong in its terms; but that it was made in the form of a *note verbale*, which was the mildest form of diplomatic interference.

Mr. BOURKE: I really cannot follow the hon. Baronet in the distinction which he draws, because whether a *note verbale* is the mildest form of diplomatic interference or not is of very little consequence. If the words used are strong, it does not matter much whether they come in the shape of a *note verbale* or of the most solemn and binding Treaty. The words used by Sir Henry Layard were these—

> "Her Majesty's Ambassador has on many occasions brought this very important matter to the notice of the Minister for Foreign Affairs, and has received from his Excellency verbal assurances that the Règlements to be introduced into the European provinces of Turkey were being considered, with a view to being submitted in each province to the special Commissions, in which the native element is to be largely represented. But no steps in that direction appear yet to have been taken, although more than ten months have elapsed since the Treaty of Berlin was ratified.
>
> "Her Majesty's Ambassador trusts that the Sublime Porte will enable him to inform his Government that the new Règlements have now been referred to the above-mentioned Commissions, and that they will soon be ready to be submitted to the European Commission instituted for Eastern Roumelia for its advice, as provided by the XXIIIrd Article of the Treaty."

I cannot imagine anything more direct, or which would more plainly give the meaning of Her Majesty's Government and of our Ambassador, than these words. Therefore, I think it was rather hard that the remonstrance of Sir Henry Layard should be contrasted in that manner with that of the hon. Member for Christchurch. It seems to me that it is quite as strong. Now, Sir, the hon. Baronet then went on to speak of Asia, and he said we had peculiar responsibilities with regard to Asia. He spoke of the responsibilities that attached to Her Majesty's Government, not only in consequence of the 67th Article of the Treaty of Berlin, but also of those accruing in consequence of the Anglo-Turkish Convention. Sir, it is not my duty, on this occasion, to retreat in any way from the responsibilities of Her Majesty's Government with regard to Asia; for they have, from the first, been perfectly mindful of their duties. And, in August last, Lord Salisbury drew attention to this subject in one of the strongest despatches that has ever appeared in the Blue Books. He pointed out the necessity for reforms in the Police, in the Judicial system, and in the collection of the Revenue. Since that despatch was written, two Commissions have been sent to Asia Minor. We have received Reports from the Consuls who accompanied those Commissions, and I am sorry to say that those Reports reveal the existence of a very unsatisfactory state of things in that part of the Turkish Empire. In fact, I do not think that anything can be much worse than the condition of some parts of Armenia. I feel that the Armenians are entitled to the sympathy of this country, and I hope that they will obtain it, and enlist on their side the exertions of all to gain the reforms that we consider necessary; but, at the same time, much as we sympathize with the oppressed races, I beg to protest against the inference that Her Majesty's Government is responsible for the existing state of things, and that we are to blame for the non-fulfilment of Turkish promises. We have done our best, and have brought all these matters under the notice of the Porte. I, for one, have no wish to make excuses for the Turkish Government. More might have been done by them than has been done, for the state of things revealed by the visits of our Consuls in Asia Minor is, in some places, shocking and revolting. The misconduct of the Pashas, the corruption and extortion of the officials, the tyranny and cruelty of those in authority, is as bad as anything we have ever heard of. It is useless, however, to denounce the Turkish Government in one breath, and in the next to taunt Her Majesty's Government that reforms have not as yet been carried out. We ought rather to try to remedy and improve the condition of Asia Minor. The difficulties, I admit, are great, and have been much increased by the emigration of a large portion of the Mussulman population; but, bad as the condition of the country certainly is, it does not become us to be discouraged. Political questions of the highest importance have occupied the attention of the Porte, to which it has been necessary to give great attention. Such questions as the settlement of Bulgaria, of Eastern Roumelia, of Montenegro, of Albania, and the Frontier of Greece. It has been absolutely necessary to deal with these questions, which are of vital political importance, particularly from an International point of view. The Sultan has been opposed, from first to last, by a most fanatical Party at Constantinople, who have opposed all concessions. I believe the Sultan is perfectly convinced that the steps which Her Majesty's Government have recommended to him are the only means of giving prosperity to his country. With regard to the immediate future of Asia Minor, Lord Salisbury has lately written a despatch, from which I will make one or two extracts, to show what, in the opinion of Her Majesty's Government, are their duties with respect to Asia Minor—

> "By Article LXI. of the Treaty of Berlin the Porte engages 'to carry out, without further delay, the improvements and reforms demanded by local requirements in the provinces inhabited by Armenians, and to guarantee their security against the Circassians and Kurds.'
>
> "It further undertakes 'to make known the steps taken for this purpose to the Powers, who will superintend their application.'
>
> "Further, in Article I. of the Convention between Great Britain and Turkey of the 4th June, 1878, the Sultan 'promises to England to introduce necessary reforms, to be agreed upon later between the two Powers, into the government, and for the protection of the Christian and other subjects of the Porte' in his Asiatic territories.
>
> "Under these two Treaty stipulations the Sultan stands bound not only to promulgate new and improved laws, but actually to carry out reforms in the administration of the provinces situated within the sphere of Major Trotter's observation. Any proceedings inconsistent with the spirit of that promise furnish an ample ground for remonstrance — by the Consul in the first instance, and afterwards, should occasion arise, by the Ambassador.
>
> "Judgment must, of course, be used, both as to the expediency and the manner of such representations, and great care should be taken not to act upon information the accuracy of which is open to doubt. But, subject to these precautions, Great Britain is bound to spare no diplomatic exertion to obtain good government for the populations of Asiatic Turkey."

Under these Treaty stipulations, Lord Salisbury has pointed out that the Sultan stands bound, not only to promulgate new and improved laws, but to carry out reforms in the Provinces of Europe and Asia. But, subject to these precautions, Great Britain is bonnd to spare no diplomatic exertion to obtain good government for the populations of

Asiatic Turkey. These are the views of Her Majesty's Government at the present moment. They do not desire to withdraw from the course they have marked out for themselves; and, certainly, the suspicions of the hon. Baronet the Member for Chelsea are not well-founded. Six Consuls of experience and ability have been appointed in Anatolia. Her Majesty's Government have perfect confidence that wherever there is bad administration, or tyranny of any kind, these Consuls will perform the duty imposed upon them by Her Majesty's Government—namely, to report the matter to Her Majesty's Government; and I myself have known many instances of Reports of that kind doing much good, and bringing to light abuses which have subsequently been remedied. Well, Sir, if nothing else had arisen, the recollection of what took place after the Crimean War would have induced Her Majesty's Government to take the course they adopted; because, beyond a doubt, much of the evil which has fallen on the populations of Eastern Europe in recent years is to be attributed, in my opinion, to the neglect of opportunities which have arisen subsequently to the Crimean War. Sir, when these accusations are made against a Conservative Government — accusations which are now made, and have been made for some years past, in every shape and form that it is possible to make them—when these accusations are made, it is as well to recollect that between 1856 and 1874, a period of 18 years, Liberal Governments were in power for 14 years. I should like to know what evidence there is to show that, during those 14 years, the Liberal Governments were alive to those duties and responsibilities incurred after the Peace of 1856? Sir, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) has mentioned the Hatti-Houmayoun. I have studied all the documents which arose out of it, and, I must say, I cannot find that the Liberal Government, or any Government in Europe, was really alive to the responsibilities which they undertook; and this is the more surprising, because not only did they undertake those responsibilities as to the improved condition of the various races in Turkey, but they also entered into the famous Tripartite Convention binding them to protect Turkey, so that they had the strongest possible inducement to bring about an improvement of Turkey. They knew that they had guaranteed the integrity of Turkey—of the Turkish Empire—and they must know that the only way to preserve that integrity was to get Turkey to reform herself and her institutions. Now, Sir, I come to that portion of the hon. Baronet's speech which alluded to Greece. It appears to be the wish of the hon. Baronet opposite (Sir Charles W. Dilke) to represent Her Majesty's Government as being totally indifferent to the cause of Greece, and as a sort of drag on the other Powers of Europe, before and after the Berlin Treaty. I do not think anyone can peruse these Papers without seeing that Her Majesty's Government have been, from the first, animated by the most sincere desire to better the relations which exist between Turkey and Greece. Sir, there have been other occasions on which I have been called upon to address the House upon this subject, and I have been obliged to treat it with considerable reserve, because, as the House is aware, ever since the Treaty of Berlin, negotiations have been going on, with reference to Greece, with all the Powers of Europe; and, under these circumstances, it would be impossible for me to state anything in relation to what was going on then without being guilty of bad faith towards some or all of the Governments of Europe. Several hon. Gentlemen have to-night treated this rather as a Party question than otherwise, and have endeavoured to show that, while other Governments were inclined to show sympathy with Greece, the Government of Her Majesty displayed no such feeling. I remember that, on a former occasion in this House, and on other occasions outside its walls, the hon. Baronet the Member for Chelsea has endeavoured to show that Her Majesty's Government were opposed to the terms of the Treaty of Berlin as far as Greece was concerned. But what is the real truth concerning the matter? So far from Her Majesty's Government lagging behind, it is, I think, clear, from the Papers before the House, that they have approved the course suggested by, and made part of, the Treaty of Berlin in reference to Greece. And, as a matter of fact, Her Majesty's Government suggested the line of the Greek Frontier some months before the Congress met, and that at the instance of Sir Henry Layard, who had conferred with Sadyk Pasha upon the question. That rectification of Frontier would have been agreed to before the meeting of the Congress, but for the unfortunate fact that Sadyk Pasha fell, and that Rashdi Pasha, who succeeded him, did not take the same view. Later on, when Sefket Pasha spoke to Sir Henry Layard on the same subject, he said that if this alteration or rectification of Frontier was to be effected, it must be done by means of pressure brought to bear by the European Powers; but, in using this language, he did not express the opinions expressed either by his predecessors or his successors. It was just before the Congress that Sefket Pasha expressed the opinion which I have quoted to Sir Henry Layard; and the only question remaining was whether it should or should not be taken into consideration by the Congress. What, then, are the facts? It must be well known that during the late war Greece distinctly refused to discourage the attacks which were made on the Turkish Frontier, and, after the important successes of the Russian Army, determined themselves to invade Turkey with irregular Forces. This proceeding was lost sight of by Her Majesty's Government, who sent two officers to Greece to endeavour to induce the Greek Government to desist from the course upon which they had entered. Furthermore, when Her Majesty's Government found that there was an intention on the part of the Porte to take strong retaliatory measures, they took steps to dissuade the Constantinople Government from sending their iron-clad Fleet to bombard certain towns on the seaboard of Greece. Greece was assured that she would lose nothing by abstaining from attacking Turkey, and we endeavoured to persuade the Porte that the most prudent and politic thing it could do was to observe a policy of conciliation towards Greece. We were successful in obtaining a truce between the two Powers. At that time we had reason to the believe that Greece would be satisfied with the line of delimitation mentioned by Sir Henry Layard. Under these circumstances, I do not think that Greece has any right to complain of the advice given by England. Greece ought to recollect this now, and did recollect it at the time, because she acknowledged that Turkey had a large Army and a large Navy, and it was only by the earnest desire of England that that Army and Navy were not used against Greece. It would have been a great evil and a great misfortune for Greece, if that country had been made the theatre of a contest between the two nations. At that time there was a great alarm in Greece, and the Greek Government not only besought Her Majesty's Government to interpose, but thanked Her Majesty's Government in the warmest terms for having prevented Turkey from attacking her. Well, Sir, it has been always the opinion of Her Majesty's Government that Turkey would do wisely to make such arrangements with regard to her Frontier as would restore peace between the two countries. I quite agree with the right hon. Gentleman the Member for Greenwich that the question is not as to one particular town or one particular line. The great object is to restore peace, and to do it in such a way that it will be a permanent peace, and that populations which for centuries, or, at least, within the memory of men, have not been able to live peaceably, might for the future be able to do so. We have impressed on Turkey that if she makes a territorial sacrifice she will be amply compensated for that sacrifice by being relieved from the necessity of keeping up a large Army on her Frontier, exhausting her resources by continual expeditions, keeping up large garrisons, receiving no tribute, and having a population on her border in a state of insurrection. It may be said that one of the difficulties of the situation is to find a defensible Frontier. I believe that the present Frontier may be said to be the most defensible Frontier that can be obtained, and I wish to say that, because I think it one of the strongest points that Turkey has. But when one comes to think of it, I do not think it, in reality, a strong point at all; because a Frontier may be one of the strongest Frontiers in the world, but it may be a very bad Frontier for the maintenance of peace. One of the greatest enemies of peace is brigandage. Sir, the very fact of the Frontier being a mountain in which brigands abound is a reason why it should remain a strong Frontier; but that does not render it a good Frontier. Sir, when the Congress took place, Her Majesty's Government did what could best be done by mediation. There is no evidence whatever to show, in all these Papers, that any Power of Europe was prepared to force the opinion of Congress upon Turkey. In fact, I am prepared to state that there was no Government in Europe prepared to do so. There was no Government in Europe prepared to force the opinion of Congress upon Turkey; and, therefore, that being so, Her Majesty's Government thought that the best, and really the only, way to bring about the agreement between the two Powers, and to effect the object they all had in view, was to endeavour to get the two Powers to agree among themselves. This is really the whole key to their position. They have never held back for one instant. What they said was this—"We believe the best way to arrange this matter is to endeavour to get these two Powers to agree. At the same time, when the proper time arrives, if they do not agree, we are ready to go forward with mediation." The hon. Baronet says in October we broke off the concert of Europe. We did the exact reverse. We got the Powers to adopt our views. We received the support of every Government. We received the support of France, of Italy, of Germany — notwithstanding all that was said by the hon. Baronet. We received the support of Austria, and we received both the support and gratitude of Greece. I will just read one or two quotations from the despatch of Mr. Corbett to the Marquess of Salisbury, dated Athens, December 26, 1878, in which he says—

> "M. Delyanni showed me yesterday the note mentioned in my despatch of the 25th instant, which he has just received from the Turkish Chargé d'Affaires, and expressed the satisfaction felt by the Greek Government that at last the Sublime Porte had recognized the principle of a cession of territory by Turkey to Greece."

All this time we had been endeavouring to press on Turkey the advisability of making that concession.

> "His Excellency and M. Coumoundouros, the Prime Minister, both requested me to convey to Sir Henry Layard the thanks of the Greek Government for the interest he had shown in the matter of the rectification of the frontier, as reported by the Greek Minister at Constantinople. They attributed to his friendly cooperation the present favourable aspect of the question."

Sir Henry Layard was publicly thanked by the Greek Government for the interest he had shown in the matter of the rectification of the Frontier; and now the hon. Baronet comes forward and charges him with being cold and lukewarm on the subject. I think the House will agree with me that, considering the mediatorial attitude which, at this moment, both Her Majesty's Government and the other Governments of Europe are occupying with regard to Turkey and the Greek question, I may be excused from going into matters of detail respecting the boundary. If I were to do so, I should really break faith with the other Governments of Europe. I observe that only a few days ago the Italian Prime Minister made a remark of that kind in another Assembly; and, therefore, I hope the House will excuse me from going into minute detail with regard to the boundary line between the two countries. The hon. Gentleman (Mr. Shaw Lefevre), and the hon. Baronet (Sir Charles W. Dilke), both mentioned the case of Janina. I do not believe there can be any doubt that the general description given of Janina is correct. I do not think anybody can read descriptions of Janina without coming to the conclusion that it is practically Greek. But I do not wish to be supposed to be in favour of the cession of Janina or against it. That is the question now to be decided at Constantinople. Therefore, it would be extremely improper to give an opinion one way or the other. Although I admit that it is, no doubt, a Greek town, at the same time, I cannot help thinking that there is a strong Albanian nationality, and that there is a strong feeling in Albania against the cession of Janina; and it really is not wise in those who will have great influence in acting as mediators in this case to ignore the strong points on one side, whilst giving effect to the strong points on the other side. I am not disposed to think lightly of Albanian nationality. They are an ancient and historic race. We find the Albanians in olden times described by Herodotus and Pliny as being a wild and uncouth race, brave, and primitive in their modes of living. All the characteristics attributed to them are those of the Albanians of the present day. I do not believe there is any evidence to show that Albanians will peacefully submit to absorption of any kind. That is a question that is to be decided hereafter, and it is unwise to shut our eyes to that question. It may be taken for granted that any cession of territory which may be made must be such as to meet with the approval of the Albanians themselves; otherwise, more harm than good will result. I have no doubt whatever that it is most expedient for Turkey to make a cession of territory, and a liberal cession of territory, for the reasons I have already mentioned. Everybody must also agree that it is most expedient for Greece to be reasonable in her demands, and to live on friendly terms with Turkey. She must recollect that there are other Powers which may be more dangerous to her than Turkey; for, after all, whatever may be said against the Turkish Government, it cannot be denied that Hellenic institutions have been allowed to flourish under Turkish rule. I believe it, therefore, to be of the greatest importance to Greece that she should entertain friendly relations with Turkey. The right hon. Gentleman (Mr. Gladstone) says it is exceptionally hard for Greece that Her Majesty's present Government should take a less favourable view of her aspirations than any Government who have preceded them. Well, there is no person in this country who knows the political history of England better than the right hon. Gentleman, and I would just carry his recollection back a few years. I would ask him whether, in 1854, Her Majesty's Government did not make the strongest representations to Greece with regard to her tendency to insurrection? I would also ask him whether, later, in 1862, when the cession of the Ionian Islands was first spoken of, Her Majesty's Government did not tell Greece that whoever was on the Throne of Greece must renounce all ambitious ideas with regard to Turkey? More than that, I would ask him whether, in 1870, Her Majesty's Government did not use the strongest threats towards Greece, to induce her to desist from her projects for an extension of territory? Under these circumstances, it seems to me somewhat unfair to accuse Her Majesty's present Advisers of taking a less favourable view of the affairs of Greece than their Predecessors. With regard to the Resolution before the House, I cannot agree with the right hon. Gentleman that it has not a retrospective effect. The whole of the speech of the hon. Baronet who moved it (Sir Charles W. Dilke) was an indictment against Her Majesty's Government for what has taken place. Therefore, I need not say that the Government cannot accept the Resolution of the hon. Baronet. They concur, certainly, in the Amendment that has been proposed by my hon. Friend behind me. I am afraid I have wearied the House by going into details which, certainly, are of a somewhat difficult character; but I hope the House will be satisfied with the statements I have made. The House may rest assured that reforms in Turkey, both in Europe and Asia, will continue to have the best attention of Her Majesty's Government, and that Her Majesty's Government will use their best endeavours to secure a settlement of the boundary question in such a manner as to conduce to the establishment of a permanent peace.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Monk.*)

Question put, and *agreed to.*

Debate *adjourned* till *Tuesday* next.

ORDERS OF THE DAY.

NATIONAL SCHOOL TEACHERS' (IRELAND) BILL—[BILL 246.]

(*Mr. James Lowther, Mr. Attorney General for Ireland.*)

SECOND READING.

Order for Second Reading read.

MR. J. LOWTHER asked the House to read the Bill a second time, with the view that at a later stage a fuller discussion should take place. The Bill was introduced in order to redeem the pledge made repeatedly in the House to deal with the question of pensions to National School Teachers, and it proposed to allocate a sum for that purpose, which it was hoped would meet their requirements. It also made provision for enabling the difficulties respecting residences to be overcome. It was also the intention of the Government to place an Estimate on the subject of salaries before the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. J. Lowther.*)

Mr. COURTNEY thought they could hardly be expected to read a Bill of this importance at that hour of the night on the very slender information which had been given to them. He listened very carefully to the speech of the right hon. Gentleman; but unless he had had an opportunity of looking at the Bill beforehand he would not have gathered anything from it. The right hon. Gentleman did not tell them that this Bill proposed to take £1,300,000 from the Irish Church surplus. That, of course, might be a very proper thing to do; but it ought not to be proposed at 2 o'clock in the morning without any explanation, and the right hon. Gentleman ought not to ask the House to read the Bill a second time proposing to deal with such a sum as that. He thought it was impossible to work at this Bill at once without further discussion. Therefore, he begged to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned." —(*Mr. Courtney.*)

Mr. MELDON hoped the Motion would not be pressed. This Bill was the redemption of a pledge which was given some time ago. More than 12 months since, he brought forward a Motion on the subject of the National Teachers' pensions, which had been before the House since 1875, and upon that occasion the right hon. Gentleman the Chief Secretary gave a pledge that the Government would deal with the matter and indicate how it would be done. There was then considerable discussion on the matter. He had since this twitted the Government with not having carried out their pledges; but they had now introduced this Bill, and at the very late period of the Session at which they had now arrived, he hoped they might be allowed to read the Bill a second time that night, on the distinct understanding that there should be a discussion on going into Committee. This course was often followed when they had arrived at a late part of the Session.

Mr. MONK said, that this Bill had not yet reached his hands, and he had heard with the utmost amazement that it proposed to take over £1,250,000 out of the surplus of the Irish Church. The right hon. Gentleman did not inform the House that it proposed to take this sum for a purpose which was not intended when the Irish Church was disestablished. It might be very true that he gave a pledge to certain Members in regard to this matter; but he was quite certain the noble Lord the Leader of the Opposition and the right hon. Gentleman the Member for Greenwich would not have gone away if they had been aware that a Bill of this importance was to be brought forward. He must ask the Chancellor of the Exchequer not to take the second reading without further notice. It would be necessary to discuss the matter, and to learn from the Government on what grounds they thought it right to ask Parliament, at this period of the Session, to grant a sum of this magnitude for the school teachers in Ireland. As far as he was aware, the surplus of the Church funds had already been disposed of; but it was useless to attempt the discussion of the matter without having the Bill in their hands. It had not been delivered to him, and he was sure the right hon. Gentleman would not press this measure at 2 o'clock in the morning on a reluctant House.

Major NOLAN hoped that the Motion for adjournment would be withdrawn. The Bill had been a good deal discussed. They had paid much attention to it. They had unanimously decided to reserve any discussion till a further stage. As far as he knew, the Bill was not in the slightest degree denominational, and they had now every opportunity of discussing its merits at a later stage. It was the only measure proposed by the Government affecting Ireland which hon. Members had had for the last 15 months in which they could take any interest; and, therefore, he hoped the Bill would be allowed to go through this formal stage.

Mr. PLUNKET appealed to the hon. Member opposite to withdraw his Motion for adjournment, on the ground that full opportunity would be given for discussing it later on.

Mr. GRAY made the same appeal. This subject excited the deepest interest in Ireland. It had been discussed for a series of years, and a distinct understanding was come to that the Bill should be introduced exactly on the lines of that now under consideration. It was true the second stage had been reached somewhat quickly; but the lines of the Bill were well known. It was, of course, quite in the power of a single Member to stop a Bill of this kind at that period of the Session; but he would have the same power at a later stage. He would, therefore, appeal to the hon. Member to allow the present stage to pass.

SIR WILFRID LAWSON thought it was very delightful to see a reconciliation between the Ministers and hon. Members from Ireland, remembering the difference which existed between them on the previous night. This, however, appeared to him a very extraordinary Bill to be pushed forward at that hour of the morning. The hon. Gentleman had said it was not denominational. Nobody said it was; that made him suspicious. There was something in it. He should certainly, therefore, join in opposing it. Hon. Members talked about the lateness of the Session; but they heard nothing of that on the previous night.

MR. DILLWYN entirely demurred to calling the second reading a formal stage. That was a stage at which they ought to discuss the principle of the measure; and he thought they ought not to take that stage on a Bill presented at that hour in the morning when the House could not have an opportunity of considering, and especially when they none of them knew what the Bill was, because they had not had an opportunity of seeing it. They were getting very lax in their Rules, and hon. Members did not guarantee that the Rules and customs of the House would be adhered to in these matters. It was an ordinary understanding, when Bills had not been presented in time to be in the hands of hon. Members, that they should not be taken that night.

SIR GRAHAM MONTGOMERY said, as he understood the Bill, it proposed to pension the Irish National School teachers out of the surplus funds of the Disestablished Irish Church, and that seemed to him a very proper method of disposing of those surplus funds. Besides, he was sure they would never have any peace in that House till those surplus funds had been disposed of.

THE CHANCELLOR OF THE EXCHEQUER quite agreed that it was not their practice to read a Bill a second time so soon after it was introduced; but, on the other hand, towards the close of the Session, when Business was in a very congested state, they did sometimes adopt a more rapid mode of proceeding. If there were anything in this Bill which could be considered a surprise to the House, of course, he should not ask the House to go on; but, as had been stated by an hon. Member opposite, this was a matter on which the House had been informed for a very considerable time. Two or three years ago, the Government announced that they recognized the force of the application made for the Irish teachers, and some important suggestions were made as to the mode in which funds should be provided for them. A pledge was given that the matter should be seriously considered in order to see how it would work out. It had been mentioned more than once. He did not think, therefore, that the proposal could be considered as a surprise. He thought the suggestion that they should take a discussion on the Motion that the Speaker do leave the Chair was a very reasonable one. He quite agreed that if they were earlier in the Session it would be better to take a discussion on the second reading; but, under the circumstances, he thought they would not be wrong in accepting the suggestion made that the Government would not fix the day for some little time, so as to give ample opportunity to hon. Members to consider the Bill.

AN HON. MEMBER thought the very liberal mode in which the Government were going to aid Irish teachers should be a great encouragement to make the same gifts to English teachers. After 10 years' work, he managed to get £2,000 a-year for them; and this large grant would, of course, be a great encouragement to him to ask the Government for more money.

LORD FREDERICK CAVENDISH looked at this matter from the English point of view. He thought a most dangerous precedent was about to be established. The Superannuation Vote was already very heavy. Schoolmasters were very well paid already. A feeling was spreading in the country that the Education Vote had been increasing too rapidly; yet, if this precedent were established, he had no doubt strong pressure would be made to get something for English teachers on the Superannuation Fund. Under these circumstances, he thought it was most desirable the Bill should be thoroughly discussed.

Mr. C. S. PARKER ventured to join in the appeal to hon. Members to accept the offer of the Chancellor of the Exchequer. It was unfortunate that an endeavour had been made to pass this Bill without a thorough explanation of it; but, under all the circumstances, at that period of the Session, it did seem to him that the second reading might be agreed to with a distinct understanding that there should be an interval and an opportunity for debate before proceeding with the clauses in Committee.

Mr. J. LOWTHER said, the hon. Member had suggested that an attempt was being made to pass the Bill without thoroughly explaining it. He had not the least idea of leading the House astray. He told the House, a year ago, almost as broadly as he could, what the source was from which the money was to be drawn. He repeated that later on in the Session; and as the Bill was in the hands of Members he was desirous to economize time. He thought there was no need for him to go fully through it in minute detail at that stage of the measure, though he would be prepared to satisfy any desire for information in Committee.

Question put.

The House *divided*:—Ayes 4; Noes 43: Majority 39.—(Div .List. No. 191.)

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Tuesday* next.

SUPREME COURT OF JUDICATURE (OFFICERS) [SALARIES, &c.]

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, of the Salaries of the first Masters of the Supreme Court of Judicature, and, out of moneys to be provided by Parliament, of the Salaries and Pensions of Officers of the Supreme Court, as well as of Compensation for prejudice to any right or privilege which may become payable under the provisions of any Act of the present Session to amend the Supreme Court of Judicature Acts.

Resolution to be reported *To-morrow.*

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Wednesday, 23rd July, 1879.

MINUTES.]—Public Bills—*First Reading*—East Indian Railway (Redemption of Annuities) * (160); Petroleum Act (1871) Amendment * (161).

Second Reading—Committee negatived—Considered—Third Reading—Army Discipline and Regulation (Commencement) * (157), and *passed.*

SOUTH AFRICA—THE ZULU WAR—LATEST TELEGRAM—VICTORY AT ULUNDI.—QUESTION.

Lord TRURO asked, If Her Majesty's Government had received any further intelligence from the Cape?

Viscount BURY: My Lords, a very satisfactory telegram has been received at the War Office from Lord Chelmsford, dated July 6. I must mention that it is not yet perfect, as it is still passing through the station. The telegram is as follows:—

"Telegram from Major General the Hon. H. Clifford to the Secretary of State for War (St. Vincent, July 23, 1879):—

"July 6.

"Following received from Chelmsford:—'Cetywayo not having complied with my demands by noon yesterday, July 3, and having fired heavily on the troops at water, I returned the 114 cattle he had sent in, and ordered a reconnoissance to be made by the mounted force under Colonel Buller. This was effectually made, and caused the Zulu Army to advance and show itself. This morning a force under my command, consisting of the 2nd Division, under Major General Newdigate, numbering 1,870 Europeans, 530 Natives, and 8 guns, and the flying column under Brigadier General Wood, numbering 2,192 Europeans and 573 Natives, 4 guns, and 2 Gatlings, crossed the Umvolosi River at 6.15, and, marching in a hollow square, with the ammunition and intrenching tool carts and bearer company in its centre, reached an excellent position between Unodwengo and Ulundi about half-past eight. This had been observed by Colonel Buller the day before. Our fortified camp on the right bank of the Umvolosi was left with a garrison of about 900 Europeans, 250 Natives, and one Gatling gun, under Colonel Bellairs. Soon after half-past seven, the Zulu Army was seen leaving its bivouacs and advancing on every side. The engagement was shortly after commenced by the mounted men. By nine o'clock the attack was fully developed. At half-past nine the enemy wavered. The 17th Lancers, followed by the remainder of the mounted men, attacked them, and a general rout ensued. The prisoners state that Cetywayo was personally commanding, and had made all the arrangements himself, and that he witnessed the fight from Lickazi Kraal, and that 12 regiments took part in it. If so, 20,000 men attacked us. It is impossible to estimate with any correctness the loss of the enemy, owing to the extent of the country over which they attacked and retreated, but it could not have been less, I consider, than 1,000 killed. By noon Ulundi was in flames, and during the day all the military kraals of the Zulu Army and in the valley of the Umvolosi were destroyed. At 2 P.M. the return march to the camp of the column commenced. The behaviour of the troops under my command was extremely satisfactory. Their steadiness under a complete belt of fire was remarkable. The dash and enterprize of the mounted branches were all that could be wished, and the fire of the Artillery very good. A portion of the Zulu Forces approached our fortified camp, and at one time threatened to attack it. The Native Contingent forming a part of the garrison were sent out after the action, and assisted in pursuit. As I have fully accomplished the object for which I advanced, I consider I shall now be best carrying out Sir Garnet Wolseley's instructions by moving at once to Eulongamite, and thence towards Kamaguasa. I shall send back a portion of this force with the empty waggons for supplies, which are now ready at Fort Marshall.

"'I beg to forward a list of casualties:—Killed.—2nd Division—Captain Wyatt-Edgell and Farrier Sergeant Taylor, 17th Lancers; Corporal Tompkinson and Private Coates, 58th Regiment; Private Kent, 94th Regiment; Trooper Sifona, Shepstone's Horse. Flying Column.—Corporal Carter, R.A.; Bugler J. Burnes, Private W. Dirdley, 13th Regiment; Private Floyd, 80th Regiment; Trooper Jones, K.N. (*sic*) Horse. Wounded.—2nd Division.—Dangerously—Troopers Jones and Charles Waste, 17th Lancers; Privates H. Yalder and W. Bowner, 21st Regiment; Privates N. Fash, W. Stewart, and M. Marony, 58th Regiment; Private Muzazu, Shepstone's Horse. Severely —Major R. W. C. Winsloe, Privates Swadle, G. Brown, F. Fidler, and J. Daveny, 21st Regiment; Major W. D. Bond, Privates Catterell, H. Hawee, and W. Severett, 58th Regiment; Lieutenant H. C. Jenkins, 17th Lancers; Lieutenant A. B. Phipps, 1st Battalion 24th Regiment; Lieutenant G. E. Liebenrood and Sergeant Piper, 58th Regiment; Driver Breeman, R.A.; Hospital Bearer Mubique. Slightly—Lieutenant and Captain the Hon. R. S. G. Stapleton Cotton, Scots Guards; Lieutenant W. C. James, 2nd Dragoons; Lieutenant A. B. Milne, R.N.; Trooper J. Koyeau, 17th Lancers; Private Aly, 1st Battalion 24th Regiment; Private M. Murtah, 94th Regiment; Lieutenant Jenkins, Natal Native Contingent. Flying Column.—Dangerous—Lieutenant G. A. Pardoe, Private J. Davies, Mr. Shepstone, and Bugler M. Cockling, 13th Regiment; Gunner J. Morton, R.A.; Privates P. Tulley and W. Hunt, 80th Regiment; Trooper Leagdo, Mounted Basutos. Severely — Gunner W. Morshead, R.A.; Sergeant R. Wood, R.E.; Privates J. Bourne, H. Owens, C. Johnson, W. Heit, and J. Curing, 13th Regiment; Sergeant Onerill, Privates A. Beecroft and M. Duffy, 80th Regiment; Private J. Flood, 90th Regiment; Trooper P. Legos, Baker's Horse; Captain Hurber, Wood's Irregulars; Lieutenant Cowdell, Wood's Irregulars; Trooper Salein, Mounted Basutos. Slightly—Private P. Stokes, 13th Regiment.'"

ARMY DISCIPLINE AND REGULATION (COMMENCEMENT) BILL.

Read 2ª (according to Order); Committee *negatived:* Then Standing Orders Nos. XXXVII. and XXXVIII. *considered* (according to order), and *dispensed with:* Bill read 3ª, and *passed.*

House adjourned at a quarter past Two o'clock, till To-morrow, a quarter before Four o'clock.

HOUSE OF COMMONS,

Wednesday, 23rd July, 1879.

MINUTES.]—PUBLIC BILLS—*Resolution* [July 21] *reported*—Supreme Court of Judicature (Officers) [Salaries, &c.]*

Ordered—First Reading—Judicial Factors (Scotland) * [257]; Municipal Elections (Ireland)* [256].

Second Reading—Poor Law Amendment (No. 2) [212]; Commissioners of Woods (Thames Piers) [249]; Local Courts of Bankruptcy (Ireland) [146]; School Boards (Duration of Loans) [219], *debate adjourned.*

Committee — Report — Turnpike Acts Continuance [239]; Public Health (Ireland) Act (1878) Amendment [128].

Withdrawn — University Education (Ireland) [183]; Public Works (Loans) [70]; Parliamentary Franchise [84].

QUESTIONS.

GREENWICH HOSPITAL PENSION FUND.—QUESTION.

MR. GOURLEY asked the First Lord of the Admiralty, If it be correct that the compulsory contributions of the seamen of the mercantile marine towards the Greenwich Hospital pension fund amounted at the close of the year 1834 to about £2,000,000; if he will be good enough to state how much of the said amount has been paid back in pensions or grants to the contributories, and also to their widows and children; and, if he is aware that seamen now in receipt of the Greenwich sixpence pension are debarred from receiving the pension legally due from the muster roll fund; and, if so, if he will adopt such measures as he may deem necessary, in conjunction with the President of the Board of Trade, in order that aged seamen so entitled may be paid both pensions?

Mr. W. H. SMITH, in reply, said, he had seen the Notice of the Question only within the last half-hour, and it was impossible for him to ascertain the facts since then. The administration of the fund, as the hon. Gentleman was well aware, had passed away from the Admiralty for many years, and they had really no knowledge of the circumstances to which the hon. Gentleman had called attention.

ORDERS OF THE DAY.

UNIVERSITY EDUCATION (IRELAND) BILL.—[Bill 183.]

(*The O'Conor Don, Mr. Kavanagh, Mr. Shaw, Mr. Mitchell Henry, Lord Charles Beresford, Mr. Parnell.*)

SECOND READING. ADJOURNED DEBATE.

Order for resuming Adjourned Debate on Amendment on Second Reading [21st May] read.

The O'CONOR DON said, that as he did not see any likelihood of his being able to bring on the Bill during the remainder of the Session, he begged to move that the Order for the Second Reading be discharged.

Motion *agreed to.*

Order *discharged;* Bill *withdrawn.*

SOUTH AFRICA—THE ZULU WAR—VICTORY AT ULUNDI.

TELEGRAM.

Sir MICHAEL HICKS-BEACH: Sir, I have just received a very important telegram from the Cape, from Sir Bartle Frere, which I will, by permission, read to the House. It is dated Cape Town, July 8:—

"I congratulate Her Majesty's Government on decisive victory vouchsafed to Her Majesty's Forces under Lord Chelmsford in a fair fight in the open on July 4, and on subsequent capture and destruction of Cetywayo's Royal kraal, Ulundi. Lord Chelmsford appears, according to his promise, to have awaited at camp on White Umvolosi, till noon, July 3, for delivery of guns and 1,000 rifles by accredited Indunas—required by him as earnest of Cetywayo's sincerity in asking to treat for peace. Conditions not being fulfilled Lord Chelmsford left camp, laagered, and advanced with 2nd (Newdigate's) Division, and Wood's Flying Column. Was attacked on march in open country by Zulu Force, variously estimated at from 12,000 to 20,000. They enveloped the hollow square of our troops, charging on all four sides up to within 60 yards, when Zulus broke and fled under a heavy fire; were pursued by Cavalry, and utterly routed. Lord Chelmsford advanced to Ulundi, burnt and destroyed all military kraals, and returned to camp on White Umvolosi same evening. All arms reported to have done their duty admirably. Zulus slain estimated at 800 by Mr. Archibald Forbes, who rode with above news in 15 hours to Landman's Drift; his telegram reached night of July 5. British loss 10 killed; only name given, Captain Wyatt-Edgell, 17th Lancers, but no other officer killed; 53 wounded — only names given, Colonel Lowe, Major Bond, Lieutenants Pardoe, Jenkins, James; none severely. No other casualties named since last mail in any column. General Crealock, having arranged for landing stores at Port Durnford, is advancing on road to Ulundi. Zulus on line of march coming in large numbers to surrender. Sir Garnet Wolseley, after waiting in vain for two days to effect landing at Port Durnford, returned in Her Majesty's ship *Shah* to Durban, and proceeded by land to join General Crealock's column. Troops with Lord Chelmsford comprised detachments of the 13th, 21st, 24th, 58th, 80th, 90th, and 94th Regiments, the 17th Lancers, one troop Dragoon Guards, 600 Colonial troops, besides Artillery and Engineers. I have received from Sir Garnet as yet only copy of Forbes' telegram which had reached me previously.

(Signed) "Frere."

PRIVILEGE — TOWER HIGH LEVEL BRIDGE (METROPOLIS) COMMITTEE.

Order for Attendance of Mr. Charles Edmund Grissell and Mr. John Sandilands Ward, read.

Mr. SPEAKER: Let the Sergeant-at-Arms state to the House whether Charles Edmund Grissell and John Sandilands Ward are in attendance?

The Sergeant-at-Arms: Mr. Grissell is not in attendance; Mr. Ward is in attendance.

Mr. SPEAKER: Will you state what measures you have taken to secure the attendance of Mr. Grissell?

The Sergeant-at-Arms: The Order of the House for his attendance was served by the Messenger who usually serves the Orders of the House, on Tuesday, and he was informed that Mr. Grissell had gone abroad. The Order was given to Mrs. Grissell, who said she would telegraph to her husband. I have received a telegram this morning from Boulonge-sur-Mer in these words—

"Boulonge-sur-Mer, Graham's Hotel,
"Bourdeaux.

"To the Sergeant-at-Arms. Grissell sent away. Doctor's orders. Not well enough to travel."

MR. SPEAKER: Have you any further information from Charles Edmund Grissell?

The Sergeant-at-Arms: No, Sir.

THE CHANCELLOR OF THE EXCHEQUER: I do not know, Sir, what view the House may take as to the telegram that has been read from Mr. Grissell; but I must confess that, to my mind, it does not appear to be at all satisfactory. There is no medical certificate; there are no details that are intelligible, and I think that, under the circumstances, we have no other course open to us than to proceed with regard to Mr. Grissell as neglecting to obey the instructions and Orders of the House. I do not think I need delay the House by entering into the case of Mr. Grissell. As I mentioned yesterday, and as is recorded in this Report, the Select Committee appointed by the House to investigate the matter, have reported that they are

"Unanimously of opinion that Mr. Grissell, in asserting that he could control the decision of the Committee on the Tower High Level Bridge (Metropolis) Bill, and the offer he made to do so, was guilty of a Breach of the Privileges of the House."

That having been reported, and Mr. Grissell having been ordered to attend in his place in the House, and his not having appeared, but having merely sent a communication which, I think, the House cannot regard as satisfactory. I shall beg to move—

"That Charles Edmund Grissell having been ordered to attend the House this day, and having neglected to attend, be taken into custody of the Serjeant at Arms attending this House; and that Mr. Speaker do issue his warrants accordingly."

MR. W. E. FORSTER: Mr. Speaker, I am sorry my noble Friend the Member for the Radnor Boroughs (the Marquess of Hartington) is unable to be in his place to-day; but I do not think that many words are required from me in seconding the Motion of the right hon. Gentleman the Chancellor of the Exchequer. It seems to me that it will be the almost unanimous feeling of this House that the only course we can adopt is the one that has been suggested by the right hon. Gentleman. If we are to consider our Privileges at all, we cannot take this telegram into consideration, as it is certainly not sufficient excuse; but we are bound to see that the Orders of the House are complied with.

Motion made, and Question proposed,

"That Charles Edmund Grissell having been ordered to attend this House the day, and having neglected to attend, be taken into the custody of the Serjeant at Arms attending this House; and that Mr. Speaker do issue his warrants accordingly."—(*Mr. Chancellor of the Exchequer.*)

SIR. GEORGE BOWYER: Sir, I rise to Order. I observed that the right hon. Gentleman the Chancellor of the Exchequer stated that Mr. Grissell had failed to "attend in his place." Now, I want to know—[*Cries of* "Order!"]—when an hon. Member of this House is charged with any offence against the House, he is ordered to attend in his place; but that, I submit, is not the case in regard to a person who is not a Member of this House. I therefore call upon you, Sir, to set us right on this point.

THE CHANCELLOR OF THE EXCHEQUER: I am very sorry if I used the expression referred to by the hon. and learned Baronet the Member for Wexford; if I did use it, it was, of course, a mere slip of the tongue.

MR. KNATCHBULL-HUGESSEN: I wish, Sir, to make one or two brief observations on the question now before the House; or, rather, I wish to elicit information from someone better informed on the subject than myself as to whether Mr. Grissell, if he awaits the conclusion of the present Parliament in some secure retreat abroad, will not be entirely safe from any further pursuit from this House? If that be so, I venture to think that the advice which I was presumptuous enough to give on the first occasion when the matter was brought before the House will, after all, turn out to have been the right advice—namely, that when any person is accused of a Breach of the Privileges of this House he should at once be summoned to the Bar of the House, and then, if adjudged guilty, be committed to the custody of the Sergeant-at-Arms, when the House will proceed as it thinks fit. It appears to me that what the right hon. Gentleman the Chancellor of the Exchequer now proposes is, that we should cook our hare before we have caught it, and, I would venture to suggest that this departure from the old precedent is unwise, and that, if we had followed the old precedent, we should have caught our hare in the first instance, and then we might have best determined how the hare should be cooked.

Question put, and *agreed to.*

Ordered, That Charles Edmund Grissell having been ordered to attend the House this day, and having neglected to attend, be taken into the custody of the Serjeant at Arms attending this House; and that Mr. Speaker do issue his Warrants accordingly.

MR. SPEAKER: Understanding from the Sergeant-at-Arms that John Sandilands Ward is in attendance, I will ask whether it be the pleasure of the House that John Sandilands Ward be called in? Is it your pleasure that John Sandilands Ward be called in? [*Cries of* "Aye!" *from all parts of the House.*] Let John Sandilands Ward be brought in.

[The following is the entry in the Votes relating to the subject:—]

"John Sandilands Ward was then called in, and was addressed by Mr. Speaker in the following terms:—

"John Sandilands Ward; Your conduct in connection with the Private Bill relating to the Tower High Level Bridge has been subjected to patient and full inquiry by a Select Committee of this House. That Committee have come to conclusions, which are clearly summed up in the last two paragraphs of their Report to the House, in the following terms:—'Your Committee are unanimously of opinion that Mr. Grissell, in asserting that he could control the decision of the Committee on the Tower High Level Bridge (Metropolis) Bill, and in the offer he made to do so, was guilty of a breach of the Privileges of the House. And they are unanimously of opinion that Mr. Ward was cognisant of, and assisted Mr. Grissell in the matter of, this offer, and was likewise guilty of a breach of the Privileges of the House.' I have now to state on behalf of the House that the House is willing to hear what you have to say upon the matter."

John Sandilands Ward thereupon tendered the following explanation of his conduct:—

"Mr. Speaker,—Sir, I wish to say to this honourable House, if the House in its great kindness will permit me to do so, That I have read the Report of the Select Committee appointed in this matter, and that I am much distressed at the concluding paragraphs of the Report of that honourable Committee, which imply a disbelief in my repudiation of all knowledge of an improper intention on the part of Mr. Grissell when I called upon Mr. Hooker. Now, I beg to state to this honourable House that I am a Solicitor of some nine years' standing; that I have a large and highly respectable practice, and my clients are persons of means and social position; that my connection with Mr. Grissell has been purely professional; that I understood, so far as the slight conversation I had with him on the subject enabled me, that he—being a connection of the late firm of Grissell and Peto, large wharfingers on the Thames and great contractors—had some special means of acquiring information in connection with the matters then before your honourable Committee; that he in no way told me, nor did I inquire, what those means of information were, or what would be the course he would take in support of his notion that he could influence such Committee; that after introducing my client I had no further communication either with Mr. Hooker or any other persons parties to the Bill or connected with the matter directly or indirectly; that my interview with Mr. Hooker, upon which the allegation against me is based, occupied not more than half a minute, as he himself has sworn. The rapidity, therefore, with which the words alleged to be spoken must have been uttered, and the fact that this hurried interview took place in your honourable House—Mr. Hooker having been called from the Committee Room to see me, and being most anxious to return—may, I earnestly submit to your honourable House, account for the discrepancy in the evidence on this point; that when I subsequently saw my client and was informed by him that he had signed the letter drawn up by Mr. Cockell, which disclosed a manifest impropriety, I at once told him that he had acted foolishly and ridiculously. I venture to submit to your honourable House the striking improbability of the proposition—that I, a professional man, in large practice as a Solicitor, should voluntarily seek another firm of Solicitors, themselves officers of your honourable House, in order to propose to them a transaction which on the face of it would be in the highest degree censurable and a breach of Privilege. The slenderest consideration of the relative position of Mr. Hooker and myself would, I humbly submit, lead to the conclusion that to do such an act as this I must either be a person having no character or social position of any sort to lose, or a man who had taken leave of his senses. I, therefore, on this point, further venture to say, and I entreat the indulgence of your honourable House while I do so, that Mr. Hooker is entirely wrong in his remembrance of the exact words that were used at the momentary interview so often referred to. I wish also to state with the most unbounded respect to this honourable House that, deeply as I deplore the conclusions of your Committee, so far as that Report refers to myself, I must, in the satisfaction of my conscience, urge upon your honourable House that nothing was further from my thoughts or intentions than that by any act of mine I should infringe the Privileges or in the slightest degree endeavour to diminish the respect and esteem in which this honourable House is universally held; that I should look upon any act which proposed to impeach the known character for incorruptibility which attaches to all proceedings of your honourable House as an offence which, if it were possible for it to succeed, would be a misfortune to my country, and to all representative institutions. In conclusion, therefore, I wish to say that whilst my conscience acquits me of all improper intentions, and whilst my friends and clients, and all who know me, will believe in this emphatic assertion, yet am I here to-day at the Bar of your honourable House ready to bow to its decision—whatever that decision may be—but impressed with the hope that your honourable House will give due consideration to the solemn statement which I now make that I am the victim of a cruelly unfortunate misapprehension."

MR. SPEAKER: Is it the pleasure of the House that John Sandilands Ward do now withdraw? [*Cries of* "Aye!"] John Sandilands Ward will now withdraw.

John Sandilands Ward thereupon withdrew.

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, the House has now heard the statement of Mr. Ward. As far as I can collect from that statement, Mr. Ward confines himself to asserting that the communications which he had with Mr. Grissell were of a purely professional character; that he was not at all aware of the nature of the proposal which Mr. Grissell intended to make to him; and he further states that the recollection of Mr. Hooker on this matter was wrong. Well, now, Sir, I observe that the Select Committee had these points put before them; I observe also that the Select Committee, who had the power of examining witnesses on oath, and who went very fully and thoroughly into this question, having heard, as I take it, very much the same defence brought forward by Mr. Ward as that which we have now listened to, came, after full consideration, to the conclusion that the statements made by Mr. Hooker and Mr. Cockell were true, and that the counter-statements made by Mr. Ward and Mr. Grissell were false; and under these circumstances they came unanimously to the

"Opinion that Mr. Ward was cognizant of and assisted Mr. Grissell in the matter of this offer, and was likewise guilty of a breach of the Privileges of the House."

Under these circumstances, Sir, I do not feel that I am compelled, or that it would be at all consistent with the wishes of the House, that I should pretend to go over the ground which has been gone over so well by the Select Committee. I assume that, nothing new having been stated by Mr. Ward—nothing having been stated by him that was not before them in the examination that has been conducted by them—the House will be prepared to stand by the decision and the Report of their Committee. This being so, I consider that we have nothing before us but to consider what is the proper course to take with reference to an offence which we must consider to have been committed against the Privileges of this House. Of the magnitude of that offence I feel fully convinced I need say nothing. It is one of those matters upon which one only weakens the gravity by enlarging upon them. Therefore I will content myself by moving—

"That John Sandilands Ward, having been cognizant of, and having assisted Charles Edmund Grissell in, the matter of his offer to control the decision of the Committee on the Tower High Level Bridge (Metropolis) Bill, was guilty of a breach of the Privileges of this House."

If the House should arrive at this conclusion, it will then be my duty to make a further Motion as to the manner in which Mr. Ward should be dealt with. I think that it would be the most convenient course that I should confine myself, in the first instance, to making a Motion declaring Mr. Ward to have been guilty of a breach of the Privileges of the House before proposing to the House any Resolution with regard to the course to be taken subsequently.

Motion made, and Question proposed,

"That John Sandilands Ward having been cognizant of, and having assisted Charles Edmund Grissell in, the matter of his offer to control the decision of the Committee on the Tower High Level Bridge (Metropolis) Bill, was guilty of a breach of the Privileges of this House."—(*Mr. Chancellor of the Exchequer.*)

MR. GOSCHEN: Perhaps, Sir, it would be for the convenience of the House if one of the Members of the Select Committee which has investigated this matter would state whether there is anything new in the statement which has been made at the Bar of the House by Mr. Ward. It would, I think, be satisfactory to this House to know that the point which Mr. Ward has raised has been previously considered by the Select Committee and dealt with by them.

MR. SPENCER WALPOLE: Sir, the statement made by Mr. Ward at the Bar of the House turns upon exactly the same point as that which he made before the Select Committee —namely, this—whether in the original communication made by Mr. Ward to Mr. Hooker the word "control" was used by Mr. Ward, or the word "influence." According to the evidence, Mr. Grissell undertook to say that he could control the decision of the Committee, or that he could influence the decision of the Committee, and that for a consideration he was prepared to do so. When he gave an interpretation of that term—namely, the term "influence," the interpretation sought to be put upon it was, that by evidence, or by information, Mr. Grissell could influence the Committee's decision. Such an interpretation, however, was clearly contrary to the circumstances of the case, as they were detailed in the evidence taken before the Committee, and, strictly speaking, it was hardly possible that this could have been the meaning of the term. But whether the word "influence" or the word "control" was used, I conceive that such a charge as that was equally a charge against the Privileges of this House, and that it would equally, in either case, have affected the character and the conduct of the Committee. I am not prepared to say that the Committee would not have arrived at precisely the same conclusion as they have arrived at, supposing they had believed that the word "information" was used. [*Cries of* "Influence!"] I beg pardon; I am not prepared to say that their conclusion would have been otherwise as regards the Privileges of this House if they had believed that information was the term used as the means by which either control or influence was to be exercised over the minds of the Committee. But the circumstances of the case, according to the evidence of all the other witnesses, necessarily show that the word "control," and not "influence," was demonstrably made use of by Mr. Grissell, at all events, and, as I believe, by Mr. John Sandilands Ward also. With regard to the other matters which transpired before the Committee, I do not understand that any question is raised by Mr. Ward respecting those matters. I do not wish to press unduly against either Mr. Ward or Mr. Grissell; but this I must say—that the character of their evidence, their demeanour before the Committee, and the inconsistencies they ran into with reference to the substantial matter before the Committee were, to my mind, quite inexcusable. In what way the House will think it right to deal with the matter after the apology—it is not an apology—but after the submission Mr. Ward has made to the House, that is a question for the House to determine; but as to the single question now before the House whether a breach of the Privileges of the House has been committed, I have no doubt in my own mind, and I believe that the other Members of the Committee have also no doubt in their's, that such is the fact, as proved before them.

MR. W. E. FORSTER: I think, Sir, that in this case also there really can be only one feeling in the House. What we have before us is this fact—that there was reason to believe that a very grave breach of our Privileges had been committed—one as to which it was impossible, with due regard to the character of the House and the dignity of the House, we could avoid investigating with the view of finding out whether the assertion made was well-founded or not. A Select Committee, having the full confidence of this House, has most carefully looked into the matter. They have come to the conclusion that the person who has appeared at the Bar of the House has been guilty of a breach of Privilege. You, Sir, have asked him to make his explanation, and it appears that the explanation he has made is precisely that which he brought before the Committee. We have the testimony of the right hon. Gentleman the Chairman of the Select Committee (Mr. Spencer Walpole) that no fresh statement has been made by Mr. Ward, and we have also his declaration that the Committee unanimously came to the conclusion that the defence which has now been repeated before us, and which was made before them, was one to which they could pay no attention. It appears to me impossible that the House can take any other course than to assent to the Motion of the Chancellor of the Exchequer.

MR. MITCHELL HENRY: I should like, Sir, to address a question to the right hon. Gentleman the Chairman of the Select Committee in reference to the word "information," which he used just now. Did he mean "information" or "influence?"

MR. SPENCER WALPOLE: I ought to have used the word "influence."

MR. H. B. SHERIDAN: I should like to ask the right hon. Gentleman the Chancellor of the Exchequer, whether the statement made by Mr. Ward before the Committee, that his conversation with Mr. Hooker lasted only 30 seconds, is borne out by the evidence, or not? The right hon. Gentleman said, in submitting his Motion just now, that Mr. Ward had been answered by the evidence of Mr. Hooker and Mr. Cockell. It strikes me that he may be wrong in that. I have not read the evidence—I have not read the whole of the evidence—but I have read some of it, and I elicit from what I have read, and what I have heard from the Members of the Select Committee, that it was only Mr. Hooker who impeached Mr. Ward, and that the interview was held between Mr. Hooker and Mr. Ward, and with no other person, in regard to this matter. Am I to understand that the right hon. Gentleman is right when he states that Mr. Ward's statement was answered both by Mr. Ward and Mr. Cockell? It appeared to me that Mr. Ward never saw Mr. Cockell; that the only interview he ever had with anybody in connection with the matter was that which he had with Mr. Hooker, and which he says lasted only 30 seconds. I wish to know if that be a correct interpretation of the time—that the interview lasted only 30 seconds in the corridor?

THE SOLICITOR GENERAL (Sir HARDINGE GIFFARD): Perhaps the House will allow me to say a word on this subject. The hon. Member for Dudley (Mr. Sheridan), who has spoken just now, was quite right in his statement of a matter of fact. According to the evidence taken by the Committee, the interview he speaks of lasted half-a-minute—I do not think Mr. Ward said "30 seconds." The expression is one of those colloquial phrases which one does not use with any notion of exactness—the interview lasted about half-a-minute. I think, however, it would be inaccurate to say that that was the only evidence before the Committee to justify the conclusion they have drawn; because Mr. Ward's evidence, the entries in Mr. Hooker's book, and a great variety of circumstances which it is not necessary to go into now, go to confirm, in a very great measure, the clear statement of Mr. Hooker, and that made by Mr. Cockell. There can be no doubt that the whole question before the Committee, as raised on Mr. Ward's behalf, was the same as he has raised at the Bar of the House to-day, and what I understood, and what the hon. Member opposite (Mr. Sheridan) desired to know, was that Mr. Ward made before the Committee exactly the same statement he has made to-day, that what he did was to say he had a client who could secure the decision of the Committee on the Private Bill. Mr. Hooker's evidence showed that there was an express statement that, for a consideration, Mr. Ward had a client who could influence or control the decision of the Committee. I think that that was what the right hon. Gentleman (Mr. Spencer Walpole) intended to say—that Mr. Ward had said that he had a client who could influence or control the decision of the Committee. I quite concur with my right hon. Friend that the use of the word "control" or "influence," when taken in connection with the rest of the sentence, would be comparatively immaterial. The broad proposition was that, for a corrupt consideration, Mr. Ward's client would be able to determine the decision of the Committee, and that the Committee would be influenced by such consideration. That was the proposition, and that is what we believe was established by the evidence.

MR. PEMBERTON: I only desire, Sir, to say a few words. We have not only the evidence of Mr. Hooker as contradicting that of Mr. Ward, but there is other testimony on which the Committee felt bound to act. It is perfectly true that Mr. Hooker was the only person with whom Mr. Ward had any communication on the subject; that is quite true, but that was by no means the only circumstance or evidence which influenced the Committee in coming to the decision they did. In the first place, Mr. Ward stated that he made no note of the conversation at the time. Mr. Hooker, on the other hand, made a very full note, and that, immediately after the conversation, he communicated the purport of it to Mr. Cockell. Mr. Cockell communicated that statement to Mr. Littler, one of the counsel engaged for one of the parties concerned in the Bill, and it is a very remarkable fact that both the statements of Mr. Cockell and Mr. Littler entirely confirm the use of the word Mr. Hooker asserts that Mr. Ward employed—that is to say, that he had a client who could control the decision of the Committee. And not only this, but a reference to Mr. Ward's books, certainly, in the opinion of every Member of the Committee, entirely confirmed the statement made by Mr. Hooker, and they are entirely inconsistent with the statement of Mr. Ward, that the communication was a mere harmless communication in reference to someone who could get additionl evidence. I believe the opinion of the Committee to have been that the statement that the communication was an offer of additional information on the merits of the Bill was entirely an afterthought, and I do not believe that any Member of the Committee, or any Member of this House, who has read the evidence, would have come to any other conclusion than that to which the Committee have come.

Mr. GRAY: As a Member of the Committee, and as one thoroughly realizing the gravity of the decision which the Committee came to, I feel bound to say that I certainly could not have concurred heartily with that decision were the case against Mr. Ward based solely on the evidence of Mr. Hooker. We had the conflicting testimony of these two gentlemen, and we had to judge to which of them was due credibility. We weighed the entire evidence which came before us, and we found that Mr. Ward contradicted himself, that he omitted to state material facts, and that his evidence really was discreditable judged on its own merits. On the other hand, we found that the evidence given by Mr. Hooker and Mr. Cockell was thoroughly consistent, and borne out by all the circumstances of the case; that the entries in the books of Mr. Ward rather tended to show that he had a knowledge of the affair than otherwise, and it was after weighing the evidence upon its merits that we arrived at our conclusion. Although we did not arrive at it without great pain, I do not think any hon. Member who has read the evidence through will think that we could consistently with our duty have come to any other decision.

Question put, and *agreed to.*

Resolved, Nemine Contradicente, That John Sandilands Ward having been cognizant of, and having assisted Charles Edmund Grissell in, the matter of his offer to control the decision of the Committee on the Tower High Level Bridge (Metropolis) Bill, was guilty of a breach of the Privileges of this House.

The CHANCELLOR of the EXCHEQUER: Mr. Speaker, the House having now arrived unanimously at the conclusion that Mr. Ward has been guilty of a breach of the Privileges of the House, it becomes our duty to consider what course the House should pursue with regard to this gentleman. There are two courses which might be taken; either to commit him to the custody of the Sergeant-at-Arms, or to reprimand him for his conduct. I think, having reference to the character of the offence, it is one which could not be treated by a simple reprimand. The proceedings to which Mr. Ward has been a party were of a character different altogether from that class of breaches of Privilege with which we sometimes have to deal. I allude, of course, to those cases in which language of an imprudent, or of an offensive character has been used; language which is apologized for and submitted to the mercy of the House. In this case, a step has been taken which might, if it were passed over, and if it were treated as of comparatively little importance, be allowed to imply that the House was not jealous of that which is the most important of its characteristics—I mean the unquestionable honour of the House. The proceedings of Mr. Grissell are obviously, on the face of them, absurd, and that is the only kind of defence that could be made for them, or the only extenuation that could be pleaded. But this is a case in which it is not sufficient to say that the offence is one of an absurd character; it is one which, if we do not treat it in such a way as to mark our sense of its gravity, might lead to misconception as to the determination of the House. Therefore, Sir, I shall move—

"That John Sandilands Ward be, for his said offence, committed to the custody of the Sergeant-at-Arms attending this House; and that Mr. Speaker do issue his warrant accordingly."

Motion made, and Question proposed,

"That John Sandilands Ward be, for his said offence, committed to the custody of the Sergeant-at-Arms attending this House; and that Mr. Speaker do issue his warrant accordingly."—(*Mr. Chancellor of the Exchequer.*)

MR. C. BECKETT-DENISON: Before the Resolution is put, Sir, I wish to say one word. It is this—that there will be no difference of opinion whatever as regards the Motion which has just been made by the Chancellor of the Exchequer. That we shall be unanimous on the point is perfectly certain. But there is this other consideration—that the grave offender in this matter is Mr. Grissell, who has retired from without the jurisdiction of this House, and, for anything we know to the contrary, he may remain in contumacy for any length of time. Then comes the question, if he should adopt that course, and if he should defy your Warrant, what will be the result? The result, I imagine, will be, that the force of the Warrant will be spent the moment that Parliament prorogues; it can be renewed in the next Session, and again the man may remain in contumacy, defying the House, and receiving no punishment whatsoever. If that be the case—and I am quite ready to be told I am wrong in the assumption—if that be the case, then comes this question for the House, is the lesser offender to receive the punishment which you cannot inflict upon the greater offender?

MR. KNATCHBULL-HUGESSEN: I wish to make one remark, Sir, upon the observations of my hon. Friend opposite (Mr. C. Beckett-Denison), which is this—that his observations appear very inapplicable to the question immediately before us. If I understand him rightly he has doubts about punishing the lesser, because we cannot at present catch the greater, offender. It seems to me that if you are to lay down the law that you cannot punish the receiver unless you catch the thief, the object of justice would seldom be met.

SIR GEORGE BOWYER: Two persons have offended gravely against the Privileges of this House. One has withdrawn from the jurisdiction of this House and the other is now in custody; or, at any rate, is in attendance upon the pleasure of the House. The fact that one of these offenders has withdrawn from our jurisdiction does not in any way affect our decision. The House of Lords can commit for a certain term, but the House of Commons cannot; we can, however, deal with the matter when we re-assemble next Session.

Question put, and *agreed to.*

Ordered, That John Sandilands Ward be, for his said offence, committed to the custody of the Sergeant at Arms attending this House; and that Mr. Speaker do issue his warrants accordingly.

PUBLIC WORKS LOANS BILL.

(*Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson.*)

[BILL 70.] SECOND READING.

Order for Second Reading read.

MR. RYLANDS: I rise to a point of Order. My objection to the second reading of this Bill is, that the Bill now in the hands of the House is different from the Bill originally introduced by the right hon. Gentleman the Chancellor of the Exchequer. I believe that upon the main point there can be no difference of opinion—namely, that when a Bill is introduced into this House it becomes the possession of the House; and it is clearly not in the right of any private Member to make any alteration in it, without the direct instruction of the House so to do. I wish, Sir, to refer to one or two precedents which appear to bear out the proposition which I now venture to submit to the House—that is, that the Bill now before the House cannot be read a second time. I find that in 1850, Mr. Stuart Wortley brought in a Bill to legalize the marriage with a deceased wife's sister. Mr. Stuart Wortley had obtained leave to introduce the Bill; but in the course of a few days, and before he was to move the second reading of the Bill, it was discovered that the Bill, as introduced, had not been fully matured, and Mr. Stuart Wortley told the House that he had introduced a clause in the Bill which he contended might not materially affect the principle of the Bill. On being appealed to, on the 18th February, 1850, the then Speaker, Mr. Shaw Lefevre, ruled that it was not competent for any Member to make any other than a clerical alteration in a Bill which had once been introduced and read a first time. On the occasion of the second reading of the University Tests Bill, on the 28th March, 1873, by the hon. Gentleman the Member for Hackney, then the Member for Brighton (Mr. Fawcett), the hon. Member in charge of the Bill admitted that in the course of the previous few days he had made an arrangement to modify the wording and provisions of the Bill; upon which, Sir, you were appealed to, and you gave decided answer in these words—

> "There is no principle more clearly laid down in this House than this—when a Member has introduced a Bill to the House it ceases to be in that Member's hands, and passes into the possession of the House. No essential alteration of that Bill, at any stage, may then be made without the distinct Order of the House."—[3 *Hansard*, ccxv. 303.]

The only other precedent to which I wish to refer is one which occurred on the 23rd of January, 1878, when my hon. and gallant Friend the Member for Kincardineshire (Sir George Balfour) brought in his Hypothec Bill. He made alterations in that Bill before the second reading, and when the second reading was called, objection being taken to the Bill being dissimilar with the one originally introduced, you, Sir, ruled that—

> "Hon. Members might make clerical or verbal alterations in Bills; but it would not be in Order for any hon. Member to move the second reading of a Bill which, although bearing the same title, differed materially and substantially from the measure which he had obtained leave to introduce."—[3 *Hansard*, ccxxxvii. 362.]

I am quite aware that in the last ruling of the Chair there were words introduced which were not in the ruling of the previous Speaker on a similar question, or in the ruling of you, Sir, on the University Tests Bill. For instance, in 1850, Mr. Shaw Lefevre ruled that it was not competent for any hon. Member to make other than clerical alterations in a Bill; and in 1873, you, Sir, ruled that no essential alterations could be made in a Bill without the direct Order of the House. But, in 1878, I observe that other words are introduced in the ruling of the Chair; for you, Sir, ruled that it was necessary that there should be some material and substantial difference in the measure in order to prevent its being read a second time. I will proceed to show that the Bill which is now on the Table of the House is not the same Bill which was introduced by the Government. Perhaps the right hon. Gentleman the Chancellor of the Exchequer will refer to the 2nd clause. In line 18 of the 2nd clause of the original Bill there was a blank in reference to the amount to be repayable upon public loans. That blank has been filled up in the substituted Bill by the addition of the words "four and a quarter per cent." I shall not, however, rest upon that as a very material alteration; but I will come to what I consider a very material alteration. In Clause 4 of the first Bill there occur the following words:—

> "So much of section eleven of the Public Works Loans Act, 1875, and so much of any Act relating to the Commissioners of Public Works in Ireland as authorises the repayment of a loan by means of an annuity is hereby repealed so far as relates to any loan granted after the first day of April, 1879."

But, in the new Bill, the words "and so much of any Act relating to the Commissioners of Public Works in Ireland" are omitted. I contend that that is a very material alteration. The effect of that alteration is, that the Bill which authorized the Public Works Loan Commissioners to grant Public Works Loans on annuity, and which originally applied to England and Ireland, is now left to apply to Ireland alone. In the 5th clause of the Bill there is also an important alteration. In the original Bill the clause ran as follows:—

> "Nothing in this Act shall apply to any loan granted before the 1st of April, 1879, nor to any instalments subsequently advanced in respect of such loan."

Of course, this was a general saving clause to all loans prior to 1879; but there is a further provision in the new Bill to this effect—

> "Nor to any advance which the Public Works Loans Commissioners are authorised to make by sections four and five of the Public Works Loans Money Act, 1876, and the Acts in those sections mentioned, to the Port Patrick and Belfast and County Down Railway Companies, and for improving the harbour of Colombo."

Now, this constitutes an entire difference in the Bill, for new matter is included in the clause. Well, Sir, I will only allude briefly to the last alteration which occurs in Clause 6, line 25. The old clause had reference to the repayment of the advances to the Public Works Loan, Commissioners; but the clause in the substituted Bill also provides that—

> "Every sum so advanced shall be repaid, and the interest from time to time accruing thereon

shall be paid, out of the sums paid or applicable in or towards the discharge of the principal or interest of any loan granted by the Public Works Loans Commissioners either before or after the passing of this Act, or the advance of such sum, and, if such sums are insufficient, shall be charged on and paid out of the Consolidated Fund of the United Kingdom."

Now, I submit that these alterations are not in the nature of clerical or verbal alterations, but in the nature of alterations that affect the scope of the Bill. They clearly affect the material points of the Bill; and, therefore, I must contend that we ought not to be called upon to read the Bill a second time. I venture to submit, Sir, the 4th clause, by the omission of the words "and so much of any Act relating to the Commissioners of Public Works in Ireland," has an application very different and more restricted than that which was intended in the Bill originally placed on the Table of the House. I think that is a sufficient justification why the Bill, having been altered while in the possession of the House, should not be read a second time, and why the Order should be discharged.

MR. CHAMBERLAIN said, that, before Mr. Speaker gave the House the benefit of his opinion, he should like to make one or two observations in support of the course taken by the hon. Member for Burnley (Mr. Rylands), and especially in reference to the material character of the alterations which had been made in the Bill. The Bill was one of only seven clauses, and no less than four of them had been altered by five distinct and separate alterations. One of the alterations was the omission of words which were in the original Bill, and the others were the addition of words which appeared for the first time in the substituted measure. As regarded those additions, there was one which his hon. Friend had not referred to, but which, however, was of very great importance. The concluding words of Clause 4 of the new Bill did not appear in the Bill as originally presented. These were "which is not to be repaid within twenty years." By that additional paragraph a whole class of loans was excluded altogether from the action of the clause; and if it were within the province of any Member of the Government to make a change of that kind, it appeared to him that an absolutely new Bill might be brought in, under the cover of the first reading of a totally different Bill. The same remark applied to the alteration of Clause 5, by which a very important Consolidation Act, including many other Acts, and especially referring to two classes of loans, was for the first time excluded from the operation of the Bill. He could not see how, under such circumstances and alterations so considerable in their character, the House could be called upon to consider the second reading of the Bill which was certainly not read a first time some time ago.

MR. CALLAN supported the objections taken to the Bill. He thought that the Bill ought to be withdrawn, and a new measure introduced.

THE CHANCELLOR OF THE EXCHEQUER said, he desired to explain the facts of the case before Mr. Speaker pronounced upon the question of Order. Such a course would have the effect of shortening discussion, for, as they stood, they were very simple. The Bill had been introduced by him at a rather late hour, and no discussion occurred at that time. Unfortunately, however, the copy of the Bill which he had in his hand, and which was presented to the Clerk on that occasion and afterwards printed and distributed among hon. Members, was an imperfect one. It was usual in these cases that a draft should be sent for revision by the office which presented it, before it was circulated. If that had been done in this case, they would have seen that a wrong copy had been given in; but unfortunately that did not take place. When the mistake was discovered it was too late, inasmuch as the imperfect copy had been already circulated and placed in the hands of Members. As soon as the fact came to the knowledge of the Treasury, it was found that there were several provisions in the original Bill which required alteration, especially that which affected the Irish Land Act. On the 22nd February the incomplete Bill was circulated; but on the 26th February, only four days afterwards, the amended Bill was produced and circulated in a complete form. But this was a matter which occurred as far back as five months ago, and no one until now heard a whisper breathed upon the subject. He thought hon. Members might have managed to make known their objections to the measure before that moment. He, however, congratulated them upon their ingenuity in discovering the objection, and only disclosing it on the 23rd July. Of course, if Mr. Speaker should decide that the Government were out of Order in presenting this measure for a second reading, he had nothing to do but to withdraw it and ask leave to introduce another Bill.

Mr. W. E. FORSTER said, that the statement of the right hon. Gentleman the Chancellor of the Exchequer showed how the mistake had arisen. He (Mr. W. E. Forster) had not known of the difference between the two copies of the Bill until to-day, and he supposed that was the position of hon. Members generally. But the Government knew of the mistake some time ago, and what could have been easier than to avoid the present difficulty by the introduction of another Bill, and of explaining the mistake? That, however, had not been done. As it was admitted that the alterations in the Bill were not merely verbal alterations, he apprehended Mr. Speaker would rule that only one course could now be taken, and that was, that the Bill must be withdrawn.

Mr. SPEAKER: It appears that the Public Works Loans Bill was ordered by this House to be printed on the 14th of February last, and that it was delivered on the 22nd of February. Subsequently, it was reprinted, and was delivered as a substituted Bill on the 26th of February. Now, if any material alterations in the Bill as originally printed were made in the substituted Bill, such a proceeding was, no doubt, irregular, and it does appear to me that the alterations in the substituted Bill were of such a material character as to render the proceeding irregular. The proper course to take, under these circumstances, would, therefore, be to ask leave to withdraw this Bill, in order to introduce a new Bill.

The CHANCELLOR of the EXCHEQUER: Well, Sir, I have then no option but to take that course, after your ruling. I beg leave, accordingly, to move that the Order of the Day for the Second Reading of the Bill be discharged, in order that a new Bill should be introduced.

Motion *agreed to.*

Order *discharged;* Bill *withdrawn;* and leave given to present another Bill instead thereof.

The Chancellor of the Exchequer

Mr. CHAMBERLAIN desired to make a suggestion to the right hon. Gentleman the Chancellor of the Exchequer. The Public Works Loans Bill had been upon the Paper upon the average twice a-week since it was read a first time. It had caused a great deal of interest in the House and in the country, and a number of Gentlemen had been brought down again and again in order to oppose the measure. This was especially the case at the earlier part of the Session, when it was possible that the Bill might be taken as the second Order. Lately, the right hon. Gentleman had promised that it should be taken only as a first Order, and that had, to a considerable extent, released hon. Gentlemen. Considering the lateness of the Session, he ventured to suggest to the right hon. Gentleman that he could not hope to carry a Bill containing so much contentious matter; and it would be a great saving of time, and relieve many of the opponents of the measure, if he would now say that in the new Bill he would drop all contentious matter, at all events, for the present Session, and that he would be satisfied to introduce a Bill giving the Government all they required to meet the local requirements for the next 12 months.

Sir CHARLES W. DILKE doubted whether it would be possible to pass the Bill this Session.

POOR LAW AMENDMENT (No. 2) BILL.

[Bill 212.]

(*Mr. Salt, Mr. Sclater-Booth.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [1st July], "That the Bill be now read a second time."—(*Mr. Sclater-Booth.*)

Question again proposed.

Debate *resumed.*

Mr. SCLATER-BOOTH explained that the measure would extend the Act of 1876 to those cases which it did not now reach. It would meet the very peculiar case of the Metropolis, and would relieve the local authorities from certain responsibilities which were now very heavy to bear. He had been pressed by the local authorities of London and the Metropolitan Asylums Board to propose legislation in the direction in which the Bill went, and he hoped the House would now read it a second time.

SIR CHARLES W. DILKE doubted very much if there was much chance of the Government being able to pass a measure of such importance at that late period of the Session. He had a very great objection to the 2nd clause of the Bill, which he considered dealt in an unsatisfactory way with the matter in question.

MR. RYLANDS: I must join with my hon. Friend (Sir Charles W. Dilke) in regretting that we should be called upon at this late period of the Session to deal with a measure of this kind; and in doing so I wish to point out to the right hon. Gentleman opposite the President of the Local Government Board that the present mode of the election of Poor Law Guardians should receive very great and careful consideration. It is a question which attracts a considerable amount of interest, and the right hon. Gentleman is perfectly aware that a great many complaints have been made concerning the present manner of election. We have a number of instances in which there have been either frauds or suspected frauds, and, in fact, the present system does afford opportunity for the exercise of personal influence in certain districts. I am pleased to find that the President of the Local Government Board is rather disposed to favour the election of Poor Law Guardians by a poll of votes instead of by voting papers. Under the Bill the permissive principle is established, and this may lead to a variety of modes of elections all over the country. In dealing with the elections of Guardians, I think it is important that they should be assimilated, as far as possible, with other Representative Bodies. Certainly, I could imagine no course more inconvenient than that Poor Law Guardians in the country should be elected upon a variety of modes. I will venture to suggest that Guardians should be elected upon a certain fixed principle, and not according to a mere permissive clause.

MR. SCLATER-BOOTH, in reply, said, that the clauses in the Bill dealing with the re-arrangement of the boundaries of parishes and other matters were essential to the proper carrying on of the work of the Poor Law, and he hoped the House would regard that as the important part of the Bill, and agree to it. In answer to the remarks of hon. Gentlemen opposite, a provision had been inserted dealing with the election of Guardians in large and populous places, and in regard to that he should be glad to consider any proposal when they got into Committee.

Question put, and *agreed to*.

Bill read a second time, and *committed* for *Friday*.

PRIVILEGE (TOWER HIGH LEVEL BRIDGE (METROPOLIS) COMMITTEE) —BREACH OF PRIVILEGE.

ARREST OF JOHN SANDILANDS WARD.

The Sergeant at Arms reported to the House, That he had taken into custody John Sandilands Ward, pursuant to the Order of the House this day.

COMMISSIONERS OF WOODS (THAMES PIERS) BILL—[BILL 249.]

(*Sir Henry Selwin-Ibbetson, Mr. Gerard Noel.*)

SECOND READING.

Order for Second Reading read.

SIR HENRY SELWIN-IBBETSON, in moving that the Bill be now read a second time, said, that it was an attempt to settle, with the co-operation of the Thames Conservancy, a contention of long standing between the Commissioners of Woods and the pier proprietors on the river. At present, the pier proprietors were under an obligation to pay annually to the Woods and Forests an amount considerably in excess of the tolls. It was not desirable that such a state of things should be allowed to continue; and, therefore, the Woods and Forests proposed to commute their claim into an annual payment of £10 per annum for each pier, thus keeping up their right. Legislative sanction for the arrangement was required in order to give it effect, and that was the object of the Bill, of which he now had the honour to move the second reading, to provide.

Motion made, and Question, "That the Bill be now read a second time,"—(*Sir Henry Selwin-Ibbetson,*)—put, and *agreed to*.

Bill read a second time, and *committed* for *Monday* next.

LOCAL COURTS OF BANKRUPTCY (IRELAND) BILL [*Lords*]—[BILL 146.]

(*Mr. James Lowther.*)

SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON), in moving that the Bill be now read a second time, said, he would only occupy the time of the House for a very brief space in explaining its provisions. Its object was to give to Ireland what had been long asked for—additional Local Bankruptcy Courts. The House was aware that English County Court Judges possessed jurisdiction in Bankruptcy cases, and that the Irish County Court Judges had no such jurisdiction. There was, in fact, in England a perfect system of local jurisdiction; while in Ireland the great centre of the Bankruptcy jurisdiction was Dublin. Under certain conditions of a somewhat difficult character, there existed powers to send Bankruptcy cases requiring adjudication to the different County Courts in Ireland; but, owing to certain difficulties, it had not been found to work very well, and it was a jurisdiction which had not been largely availed of, and there had been an urgent and pressing demand from the great mercantile cities of Cork and Belfast, urging that their County Court Judges should have Bankruptcy jurisdiction, which would enable them to do perfect justice, and give perfect satisfaction to the mercantile communities in which they were placed. Now, the Bill, which he did not think would take long to explain to the House, proposed to give to the Recorders of Cork and Belfast complete Bankruptcy jurisdiction; and, so far as expenses went, it would not cost much to carry the Bill into execution. With regard to the Recorder of Cork, he at present received £2,000, and he was under conditions of office by which he would discharge this Bankruptcy jurisdiction without receiving any additional pay; and, as regarded the Recorder of Belfast, during the continuance of his particular period of office, he would not require his salary to be increased; and the new Recorder would not be entitled to receive any extra remuneration whatever for the new duties under the Bill. But in the measure, besides providing for that new Bankruptcy jurisdiction for Cork and Belfast, two chief cities of commercial interest next to Dublin, there was a power given to grant similar jurisdiction to the Recorder of Derry and the Recorder of Galway, if it were thought necessary to do so. Machinery was also provided in the Bill for bringing the Act into operation with the least possible expense, by means of the usual jurisdiction, and power was given to attach jurisdiction to existing officers, or to appoint additional officers where it was thought necessary. These, however, were matters of detail, and if any suggestions could be made for improving the terms of the measure, and for carrying out more effectually the working of the new jurisdiction by other officers, they would be carefully and fairly considered in Committee. The Bill also dealt with current proceedings under certain restrictions; but that was a matter for after consideration which it was not necessary to discuss at present. In the districts to be affected by the measure there existed, as he was aware, a perfect and strongly-expressed unanimity of opinion in its favour; and, in fact, he understood, so far as his information went, that the only opposition to the measure came from the rich City of Dublin. He desired it, however, to be understood that no opposition was offered by the Bill to the Dublin Bankruptcy Court. The Judges of that Court, he believed, were most able and efficient, and administered their jurisdiction with the greatest ability. That, however, was not the question. The question really was, whether those great communities of Cork and Belfast were entitled to have the jurisdiction intrusted to them in Bankruptcy which they asked for? While every freedom would be given to hon. Members to discuss the provisions of the Bill, he hoped the House would read it a second time, and that all questions which might suggest themselves as to the details would be brought forward in Committee. The right hon. and learned Gentleman concluded by moving the second reading.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General for Ireland.*)

MR. MELDON, in moving, as an Amendment, that the Bill be read a second time that day three months, said, he must resent the insinuation that any opposition coming from him to the measure was in any way an opposition coming from the Dublin practitioners.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, he had made no insinuation of the kind, and was sorry to have been so understood.

MR. MELDON did not know what the right hon. and learned Gentleman meant by the allusion to the Dublin Court of Bankruptcy. The Court of Bankruptcy which existed in Dublin was the Irish Court of Bankruptcy, and not the Dublin Court. Disclaiming the slightest wish to oppose the Bill, either in the interest of centralization, or of the Dublin Court, or of the Dublin practitioners, he would say that what the Bill proposed to do was to abolish one of the finest and most successful legal institutions in the world. The Irish Bankruptcy system was, he ventured to say, one of the best systems of Bankruptcy in the United Kingdom. It was a system which was fully investigated in 1872, when the whole subject of Irish Bankruptcy was inquired into most thoroughly before the Select Committee of the House of Lords. It was admitted by the Members of the House who had for years past taken the greatest interest in Bankruptcy Law that the system in Ireland most favourably contrasted with that of England. The expense in Ireland of the administration of Bankruptcy estates was, he ventured to say, as small as in any Bankruptcy system in the world. That being so, he thought the House ought very seriously to consider whether it was prudent to interfere with a system which had been working so successfully, and as to which no complaints whatever had been made, and no necessity shown for any alteration in the law. He purposed tracing the course of legislation with respect to Irish Bankruptcy Law from 1857 down to the present time, and thought he could demonstrate, most conclusively, that the principal reason why the Irish Court of Bankruptcy had been so successful was that it was managed in Dublin with a small trained staff, and because in the Irish system there was wholly absent the mischiefs which had arisen in the administration of Bankruptcy in England in consequence of local Bankruptcy Courts. In 1857 the principal Bankruptcy Act was passed. The system of Bankruptcy which was then introduced was this. There were three systems. There was first the system of Bankruptcy where the adjudication in Bankruptcy took place, and where the Bankruptcy proceedings were conducted in the usual form down to the end. Then there was the other system, by which the insolvent might propose to his creditors a scheme of composition. Then there was the third system, which had been really productive of so much good in Ireland, and it was an arrangement under the Court of Bankruptcy, but without Bankruptcy, which arrangement might very fairly be followed in this country. That law worked very easily, until some changes were thought necessary; and, in 1872, an investigation took place with reference to Bankruptcy in Ireland, and that resulted in an Act of Parliament which was passed in 1872. Agitation followed from Belfast down to Cork. It was suggested that a great want was felt for some local tribunal to administer Bankruptcy matters in the North of Ireland. The case was also put forward that the farmers in the North of Ireland were most anxious that some system should be introduced whereby, under the control of the Court, a system of trusteeship should be introduced. Extensive evidence was taken, and every disposition was shown to meet the views of traders, and especially those coming from the North of Ireland; and, accordingly, a series of clauses called Trustee Clauses were introduced into the Bankruptcy Act of 1872, in consequence of the claims put forward by the commercial men of the North. In deference to their views also, an unlimited power of transfer was given to the local tribunals, if necessary. The only thing that was asked of the Committee which was not granted was, that the right to have initiatory proceedings in the local tribunals was not granted to them. In the English system, power was granted to initiate proceedings in the inferior Courts, and the jurisdiction might not arise before a highly-skilled and competent Judge. A case that had occurred in the Court of Appeal had shown that there was a defect in the English system, in that the initiatory proceedings took place in the inferior Courts; but it was thought, in passing the Act of 1872, that an adjudication in Bankruptcy, by a proceeding affecting a man's entire prospects in life, should not take place in an inferior Court, but in a superior, and that afterwards most unlimited powers should exist to transfer to inferior Courts. The result of the investigation was to place the Law of Bankruptcy in Ireland in the condition in which it at present was. What had occurred to alter the circumstances from 1872 downward? They had not heard from the right hon. and learned Attorney General for Ireland any instance of hardship. No case whatever had been made out, except a general statement that this change in the law was desired by persons in Cork and Belfast. Before he sat down, however, he would show that the change which was proposed would be most mischievous and erroneous. The law was most materially altered by the powers of transfer to the Judges; but what had been the result of the change in the law? There was no difficulty whatever in getting a transfer to the local tribunals; but the system worked so well in Dublin that, while there might have been one case of transfer, certainly from 1872 down to the present time there had not been half-a-dozen such cases. The system of the Irish Court had given unqualified satisfaction to all classes. In England one of the greatest defects had been the number of officers spread all over the country, and which had led to a most fraudulent state of dealing with Bankruptcy property all over England. That was the statement made by the hon. and learned Attorney General for England as one of the greatest defects of the English system; but now the Government wanted to extend the system to Ireland. They wanted to have an expensive staff of Registrars, official assignees, and other persons, because powers were taken in the Bill that the Lord Lieutenant should at any time extend the jurisdiction of the local Courts. But what was the reason why the Irish system had been so successful? The Irish Court of Bankruptcy was presided over by two Judges, before whom all initiatory proceedings must be taken, and who, in every case, acquired complete control. Those Judges were assisted by two official assignees; and he ventured to challenge the right hon. and learned Attorney General for Ireland to say if the work had not been well performed by these official assignees, who were appointed for the whole of Ireland. Without the slightest hesitation, he would say that the way these gentlemen had performed their duties was above suspicion, and that the system had given the greatest satisfaction, and obtained the highest praise from those most interested. It was now, however, proposed that the number of the assignees should be increased, and one given to every local Court. The appointment of fresh officers was a most undesirable thing in the first place; but those two gentlemen, who had done the work up to the present time, and in a most satisfactory manner, ought to be allowed to continue. The staff at present employed was small and well-drilled; but it was now proposed to have different staffs all over the country; and that was the evil of the English system. Unfortunately, in England, the amount of business was great, and it was impossible to remedy this evil; but in Ireland the state of things was very different. From want of manufacturing interests in the country, the great number of creditors were English, and Dublin was the most accessible place for them in Bankruptcy proceedings. If they had to go to Dublin, to Belfast, to Derry, and to Cork, and all the other places, they would require different solicitors, and would require to be constantly travelling about, and it would seriously interfere with business. He opposed the Bill upon the ground that it would entirely change what had heretofore been a perfectly successful system; also, because it would lead to increased expense in the appointment of officials, and it would give facilities for fraudulent dealings. There was no demand for the measure in the country by way of Petitions, neither could it be pointed out that there had been any demand for it by Chambers of Commerce. In conclusion, he begged, for the reasons he had stated, to move its rejection.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Meldon.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. J. P. CORRY, in supporting the second reading of the Bill, said, his constituents were very much interested in its passing. Small traders in Belfast and the neighbourhood were put to very great inconvenience and expense by having to go to Dublin with Bankruptcy cases, and a friend of his was so disgusted with the worry of frequent adjournments that he gave the matter up, and the bankrupt got his discharge, although it was believed to be a gross case of imposition. The Belfast Chamber of Commerce had had the matter under consideration for the last 10 years, and from time to time had impressed upon successive Governments the necessity of establishing these local Courts of Bankruptcy. It was only last Session they were able to get the matter put in the shape of a Bill; but it was too late to get it through then. He hoped that the Bill, having passed through the House of Lords, would pass its various stages in this House without difficulty. The hon. and learned Member for Kildare (Mr. Meldon) had said English creditors would rather go to Dublin; but the fact was that the large proportion of creditors were in the locality. He did not wish to go into the details of the measure, but was much surprised that the hon. and learned Member for Kildare should oppose a Bill like this, because the hon. and learned Member was so much in favour of Home Rule. The Bill proposed to give local Courts, and in doing that much of the inconvenience at present existing, arising from the central Court, would be done away with. His (Mr. Corry's) hon. Friends the Members for Cork City and Cork County were quite as anxious that the Bill should be pushed forward as were those in the North of Ireland. He suggested that if English creditors had to come over to look after Irish debtors it would be very pleasant for them to go to Cork or Belfast and see the country. He earnestly supported the second reading, and hoped the Government would see their way to press the Bill to a successful issue that Session.

MR. O'SHAUGHNESSY said, it was quite a mistake to say the Bill was not supported by Petitions. There had been Petitions from the Limerick Corporation, Chamber of Commerce, and Board of Guardians. He cordially supported the principle of the Bill, for the simple reason that if they had local Bankruptcy Courts local creditors would have a much more powerful supervision over the proceedings than they could have in Dublin. He ventured to think that under such a local system as was proposed in the Bill the amount in the pound paid by debtors would be considerably raised. Without imputing fraud, there was no doubt that country creditors were deterred by the uncertainty of the present proceedings and the frequent postponements. He could quote many cases in which 7*s.* and 8*s.* in the pound had been accepted, and in which something much nearer 20*s.* in the pound would have been realized if the examination of the bankrupt had taken place before the eyes of his neighbours and fellow-townsmen, who knew what he had been doing, and what he ought to be able to pay. Having said so much in favour of the principle of the Bill, he regretted to find there was no mention of Limerick in the Bill. Cork and Belfast were, no doubt, larger towns; but the people of Limerick, and other parts of Ireland also, were subjected to very much inconvenience in consequence of the present law, as they had to take long journeys. Limerick was a place with a large population, and there were many small towns in the county that could be brought within the jurisdiction of a Court established in the city, while such a Court would serve the wants of a large agricultural population. The commercial prosperity of Limerick had for a long time been increasing, and where that was the case with regard to any district there was a great necessity for a complete Bankruptcy system. He thought the importance of Limerick as a commercial and agricultural centre fully entitled it to be placed in the same position as Cork and Belfast; and he appealed to the right hon. and learned Gentleman the Attorney General for Ireland to give it the same position, without any recourse to the Lord Lieutenant. The system of giving the Lord Lieutenant and his Privy Council powers to confer jurisdiction had not been a satisfactory one, as was proved by the experience of Belfast in the matter of a local Admiralty jurisdiction. He trusted the facts contained in a recent Return would now operate successfully in that matter. However, if the name of Limerick were not introduced into the Bill in some way on the footing of Galway and Londonderry, if not on the footing of Cork and Galway, he would reluctantly feel it his duty to oppose the further progress of the measure.

MR. MURPHY said, he should give the Bill his most cordial support. The matter had for a very long time engaged the attention of the commercial community of Cork. The inconvenience which had occurred in relation to these Bankruptcy matters, particularly in reference to small traders, was almost inconceivable. One might almost say that the present arrangements held out a premium and incentive to the dishonest trader to put his creditors absolutely at defiance. It was notorious that a very great number of creditors abandoned the possibility of getting anything from their bankrupt debtors, because the expense of the process would probably be more than the dividend they would receive. The very railway fare from Cork to Dublin, and the cost of staying in Dublin a day or two, were often sufficient to swamp the dividend. He recollected when there was a Bankruptcy Court in Cork Commissioners in Bankruptcy sat there, and often administered large estates with great advantage. These Commissioners' Courts were abolished by over-centralization, and the late Lord Plunket said the reason was to insure greater uniformity of practice. The course which was afterwards taken in England with regard to Bankruptcy Procedure ought to have been followed in Ireland; but it took a long time to get English improvements in law to Ireland, in proof of which he would instance the Common Law Procedure and Admiralty Jurisdiction. Reverting to the Bill before the House, he said it was one that was required by the localities. It would do an enormous amount of good; and he was rather surprised that a patriotic Irish Member, who was an advocate for the largest possible extension of local jurisdiction, should raise any objection to this measure, which was wanted by the people of Cork, and which nobody could, after consideration, reasonably oppose.

Mr. MITCHELL HENRY also warmly supported the Bill, but thought it was not necessary to take up the time of the House with further reasons than those which had been already given. He could not help, however, expressing the hope that the principle of the Bill would be extended to other matters than Bankruptcy in Ireland.

Mr. SHAW said, his hon. and learned Friend the Member for Kildare (Mr. Meldon) had seemed to consider that the measure implied an attack on the Irish Court of Bankruptcy. He (Mr. Shaw) was sure nothing was further from the minds of its promoters. They believed the Bankruptcy Court of Dublin was administered with great ability and impartiality; but they held that great inconvenience arose from carrying out the law as it stood. It was said that a large proportion of the creditors were English and Scotch merchants. Well, he knew that was not the case in the South of Ireland. It might be so in Dublin; but he knew that such a statement would not apply in the South. Referring to the inconvenience of carrying out the law as it stood at present, he would instance a case in which a trifling objection to the books caused their removal to and back from Dublin on three different occasions.

Mr. SYNAN believed the hon. and learned Member for Kildare (Mr. Meldon) had merely made an objection as a *pro formâ* Motion from his love of abstract justice, and his knowledge of the superiority of the administration of justice in Dublin. He, therefore, seconded the appeal to the hon. and learned Member not to put the House to the trouble of dividing on a question on which Irish Members were unanimous. He would also second the appeal to the right hon. and learned Gentleman the Attorney General for Ireland on behalf of the City of Limerick. He did not exactly know why Limerick had been left out of the Bill. It ought to be in the 4th clause, and unless it were introduced into either the 4th or the 5th he would join the hon. and learned Member for Limerick (Mr. O'Shaughnessy) in opposing the Bill at a subsequent stage. He had no doubt, however, that the right hon. and learned Gentleman the Attorney General for Ireland would give them an assurance on the point.

Mr. BRUEN supported the Bill. He, too, would add his voice on behalf of Limerick, and thought it would be right to extend the scope of the Bill so as to include that town and county. Acknowledging the authority of the hon. and learned Member for Kildare (Mr. Meldon) on the question, he could not help thinking that hon. and learned Gentleman's love for Dublin institutions had induced him to attach too great an importance to the maintenance in Dublin of the sole administration of the Bankruptcy Law.

MR. M. BROOKS opposed the measure. It appeared to him that the hon. and learned Member for Limerick (Mr. O'Shaughnessy) and the hon. Member for Cork (Mr. Shaw) desired to promote the interests of those towns at the expense of the general interests of the community. He believed that the administration of the Bankruptcy Law in Dublin, which was not only the geographical, but the commercial, centre of Ireland, was of the greatest possible advantage. There was in Dublin a small and efficient staff, fully competent to administer the Bankruptcy Laws for the whole of the country. He believed that to have to go to Cork or Belfast would often be detrimental to the interests of the traders for whom his hon. Friends were so solicitous. The real question was, where was the line to be drawn? If they were to have a Bankruptcy Court in Limerick, and another in Cork, and another in Belfast, why should Galway, Kilkenny, Wicklow, and Wexford be deprived of the advantages of a local Court? He disbelieved in the necessity for these local Courts altogether. Certain facilities existed in Dublin, to which people could come in three or four hours from any part of the country, and except it might be to a few professional men in the districts named, he could not see that any good would be derived from the Bill, which would at all counterbalance the great disadvantages that would arise from it. There had been no complaint from traders, and from no one, except a few professional men; and a representation lately emanated from the Dublin Chamber of Commerce as to the disadvantages which would result from the passing of the Bill. He thought that on every ground, except the convenience of the professional men he had alluded to, the argument was entirely in favour of continuing the present very efficient and satisfactory system.

MR. CALLAN, who also opposed the Bill, said, that he had inquired in Dublin as to the opinion upon it, and he had found there was a universal concurrence of opinion amongst the barristers there, and amongst those, too, of the greatest experience, against it. An eminent Judge, to whom he had spoken, had told him that the Bill, if passed, would cause much dissatisfaction. He would also refer to the evidence given at some length by Judge Harrison against the principle of the Bill. The constitution of the Irish County Courts, said that eminent Judge, differed very materially from that of the English Courts in many salient points, a fact which he (Mr. Callan) mentioned for the benefit of English Members, who fancied that a system which worked well in England would work just as well in Ireland. Unless the constitution of the Irish Courts was radically altered, Judge Harrison was of opinion that it would not be well to localize the administration of the Bankruptcy Laws. That being the opinion of Judge Harrison, and there being no demand for the Bill in any quarter of Ireland, except from one or two parties in Belfast and Cork, he would proceed to state other reasons why it should not be passed. It would not be possible to create the necessary staff of officers in Belfast and Cork under an expenditure of £1,500 a-year in each town, in addition to which they must increase the Recorders' salaries, probably making a total increase of expenditure of £5,000. He wished it to be understood that he had no interest in Dublin whatever—in fact, he had a very great dislike to Dublin. His only objection to Home Rule was, that if they got it they would have to have a Parliament in Dublin, and not in Cork, or Belfast, or Galway. The history of the Bill was peculiar, because the matter remained in abeyance until one of the Law Officers of the Crown was looking for a seat in Parliament. He turned his eyes upon the town of Belfast, and to recommend himself he recommended the Irish Executive to confer upon the town local powers in Bankruptcy. He hoped that was the explanation of the Bill, because he did not like to see Cork and Belfast proclaiming that their condition was such as to require local Bankruptcy Courts. There had been an unprecedented number of bankruptcies in Cork during the last 18 months, and he found three-fourths of the creditors belonged to England, Scotland, and Dublin. English creditors, who did business in a large way, generally had agents in Dublin to prove for them, and he believed the present arrangements had given the greatest satisfaction. If the Bill passed, his belief was that it would work very injuriously in the interests of the persons affected, and he intended to offer it all the opposition in his power.

He should like to repeat the opinion of Lord Westbury on the subject. Lord Westbury was the most eminent authority on the subject in England or Ireland. Lord Westbury had said to Judge Harrison—

> "I must tell you most distinctly that, so far as I am concerned, I think it would most effectually checkmate your cause, because I feel that we are not in a position to teach you in Ireland. We have been ourselves for the last 10 years muddling this affair of Bankruptcy and making it worse with every Bill. We have brought it to this—that an expense of 30 or 40 per cent is not to be wondered at; and if you have done your corresponding part of the business at an expense of 14 or 15 per cent, I think you have nothing to learn from England."

He (Mr. Callan) contended that no authenticated case of complaint ever rose under the system; but that simply to comply with the pressure of certain Members who sat behind the Government the right hon. and learned Gentleman the Attorney General for Ireland was introducing a Bill to interfere with a Court which was carrying on its business at an expense of 14 or 15 per cent. He was about to follow the example of England, and to meddle and muddle in the matter of Bankruptcy, making it worse every year until he increased the 14 or 15 per cent to 30, or 40, or 50 per cent. He (Mr. Callan) contended, moreover, that the Bill had come upon him and the House by surprise, neither he nor the hon. and learned Member for Kildare (Mr. Meldon) having been aware that the Government intended to proceed with it on that day.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON): Sir, there are only, so far as I know, three, or, perhaps, four, hon. Members from Ireland who are opposed to this Bill. Two others appear to have been sent to us providentially; but they all attempt to suggest an entirely false inference. The introduction of this Bill is, by no means, an attack upon the Irish Courts of Bankruptcy. Much has been said with regard to the Courts of Bankruptcy now existing in Ireland, and I may say that no one can think more highly of them than I do. The Judges and the officials of those Courts are most capable men, and I know of no body of public servants who are entitled to be spoken of with more praise than the officials of the Irish Bankruptcy Courts. But that is not the question.

The question is, whether the large mercantile communities of Belfast and Cork are entitled to have a local Bankruptcy jurisdiction? The principal merchants and traders of those cities have unanimously asked for it, and have pointed out that it would be an immense benefit to them and their local affairs. If they are entitled to have it, having also pointed out that in England there is a similar jurisdiction to that which we propose in this Bill shall be given to Ireland, I do not see that they should be denied. We have not proposed to give this local jurisdiction recklessly everywhere; but we have picked out two of the largest and most important places for the purpose of establishing the new system there; and with respect to other districts, if the Lord Lieutenant should signify that a fair and a reasonable case has been made out, I have no doubt that justice shall be done. Now, I have been pressed, and reasonably pressed, by hon. Members from Ireland as to the necessity of including Limerick in the Bill; and I have been asked whether, in Committee, I will make provision for that city? It is most natural that hon. Gentlemen should consider the interests of Limerick; but I will say at once that I do not see my way clear to granting that which has been asked upon the 4th clause. At the same time, I will take care, in considering the 5th clause, that the Lord Lieutenant shall have, if necessary, an opportunity of considering whether the local Bankruptcy jurisdiction shall be given to Limerick, which is certainly a city of the greatest importance. I do not think it would be reasonable for me to go into the details of the Bill and the many criticisms that have been made, as they will, no doubt, be brought forward again in Committee, where, I am sure, they will receive consideration; and I will now ask the House to give the Bill a second reading.

MR. MELDON said, that, after the expression of opinion that the Bill would work in the interests of the country, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SOUTH AFRICA — THE ZULU WAR— VICTORY AT ULUNDI.

TELEGRAMS FROM GENERAL CLIFFORD AND SIR GARNET WOLSELEY.

COLONEL **STANLEY**: I think, Sir, upon this Motion, it would be convenient that I should take the earliest opportunity of making known to the House a telegram which I have received this morning, the first part of which is, apparently, from General Clifford, and the second from Sir Garnet Wolseley.

[The right hon. and gallant Gentleman then read the telegrams, which appear in pp. 1096-7-8.]

At the conclusion of the telegrams, the right hon. and gallant Gentleman said: I think it will not be out of place to add an expression of satisfaction that Lord Chelmsford has been able to vindicate his character as a military commander, and to show that his Force have practically been able to combine at the point indicated, and that his success has so far been complete.

MR. **KNATCHBULL-HUGESSEN**: I rise, because I am very unwilling that there should not be someone on this side to express the satisfaction we must all feel at the news which has been conveyed to us. It seems to me that there is one expression in the telegram which has been read which necessitates someone from this side of the House saying how cordially we hope the wishes expressed by Sir Garnet Wolseley may turn out in the result to be true—namely, that the war will soon be over. I understand that to be the expression made use of, and I do most certainly trust that this expectation may be fulfilled. Whatever opinions may have prevailed as to the first policy of this war, or any portion of its conduct, I am quite certain that throughout the whole country there has existed but one feeling, and that was an anxious desire that the British honour might be vindicated, and that the prestige of the British arms, which seemed at one time to be imperilled, might be restored. The hope that the day may not be far off when the war will be ended is, I say, a wish that is alike dictated by feelings of the purest patriotism and the truest humanity.

SIR **ARTHUR HAYTER** asked the Secretary of State for War, whether Lieutenant Carey, of the 98th Regiment, who was mentioned in the despatch as coming home in the *Euphrates*, was the same officer that had been tried by court martial; and, also, whether the news had been confirmed that Captain Wyatt-Edgell, commanding a troop of the 17th Lancers, had been killed, as some near relatives of the latter had come down to the House to inquire whether it was true?

COLONEL **STANLEY** said, with regard to the first part of the question, he believed that one and the same officer was meant. As regarded the second part, he feared that it was only too much to be regretted that Her Majesty's Service had lost a very gallant officer in Captain Wyatt-Edgell.

Motion, by leave, *withdrawn*.

Committee *deferred* till *Friday*.

TURNPIKE ACTS CONTINUANCE BILL.

(*Mr. Salt, Mr. Sclater-Booth.*)

[BILL 239.] COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Preamble *postponed*.

Clauses 1 to 6, inclusive, *agreed to*.

SIR **ROBERT PEEL** asked who had charge of the Bill?

MR. **SALT** said, he had.

SIR **ROBERT PEEL** wished to know if the hon. Gentleman could give any information with regard to the continuance of the Tamworth trusts?

MR. **SALT** said, he was afraid that he could not give any information at that moment with regard to that particular trust. It was a matter of great detail. He would be happy to furnish the right hon. Gentleman with any information in his power to obtain.

SIR **ROBERT PEEL** said, some years ago, he brought this subject under the notice of the House. The town of Tamworth, which he had the honour to represent, was encircled by a net-work of turnpikes. One could not move two or three miles out of that town without having to pay toll. He did not know why the Tamworth trusts should be continued, while so many other turnpikes had been abolished; and he should like to know why they were continued as an exception to the general rule?

MR. SALT said, there were two classes of trusts, some of which came before the Turnpike Trusts Committee every year, which dealt with each one upon its merits. Sometimes the trusts were continued up to a certain date by the Committee, with a view to their consideration again, at a particular date. For instance, certain trusts had been continued up to the 1st of November, 1880; they would be considered next year. There was another class of trusts whose Local Acts would expire in a particular year. Next year a certain number of these Local Acts would expire, and they would come in the usual course before the Committee. When the trust to which the right hon. Baronet referred came up it would be considered and disposed of by the Committee. There was also another class of trusts disposed of by this Bill, in which the trusts having come to an end, and the debts having been paid off, the trustees themselves applied for the trust to be discontinued. So soon as the interest to which the right hon. Baronet referred came under any one of these categories it would be dealt with. Any further information in his power to give he would be glad to supply.

Clauses 7 and 8 *agreed to.*

Schedules 1 to 4, inclusive, *agreed to.*

Schedule 5.

On the Motion of MR. SALT, the following Amendments were made:—In page 7, line 6, in column (County), insert "Chester;" page 7, line 6, in column (Name of Trust), insert "Stockport and Warrington and Washway, United;" page 7, line 6, in column (No. of Act), insert "3a. 7a;" page 7, line 36, in column (Date of Act), insert "7 and 8 G. 4, c. xcv;" page 7, in column (Title of Act), insert—

"3a. An Act for more effectually repairing and otherwise improving the road from Crossford Bridge, in the county palatine of Lancaster, to Altrincham, in the county palatine of Chester;"

page 8, line 12, in column (Date of Act), insert "19 and 20 Vic. c. lxvi;" page 8, in column (Title of Act), insert—

"7a. An Act for more effectually repairing certain roads in the county of Chester, of which the short title is 'Stockport and Warrington Road Act, 1856.'"

Postponed Preamble read, and *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

PUBLIC HEALTH (IRELAND) ACT (1878) AMENDMENT BILL—[BILL 128.]

(*Mr. James Lowther, Mr. Attorney General for Ireland*)

COMMITTEE.

Order for Committee read.

MR. J. LOWTHER, in moving that Mr. Speaker do now leave the Chair, briefly explained its provisions, and hoped the House would decide that it was for the benefit of Ireland that the Amendments which the Bill proposed should be made in the existing law. The provision which enabled loans to be raised by sanitary bodies in Ireland, he thought, would commend itself to the House. With regard to loans for paving, he proposed to introduce a clause providing that where any Act empowered any urban sanitary authority to cause the streets or footways under their control to be paved or flagged, such Act, so far as it related to that work being carried into effect, should, for all the purposes of the Public Health (Ireland) Act, 1878, which had reference to the borrowing money for the purpose of the Sanitary Acts, be deemed to be a Sanitary Act within the meaning of that term. No new matter was comprised in the Bill, which was merely an amending measure; and he hoped that, as Amendments might be offered in Committee, the House would now agree to the Motion he would make. He wished, however, to say, with reference to an Amendment the hon. and learned Member for Kildare had upon the Paper, that it raised matter which was new to the Bill in a rather inconvenient way. The object of the hon. and learned Member's Amendment might be good or might not; but it was hardly one which ought to be pressed upon the consideration of the

House upon the Bill. The Select Committee, which then sat upon the subject, had decided against introducing the provisions the hon. and learned Gentleman sought to draft into the Bill.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. J. Lowther.*)

MR. MELDON said, he had an Amendment to the Motion upon the Paper, which was to the effect—

> "That no Bill to amend the law relating to Public Health in Ireland can be satisfactory which fails to provide for the supervision by properly qualified medical officers of health of the sanitary arrangements throughout the country; and this House is of opinion that this supervision can best be carried out by Local Government Boards having power conferred on them to divide the whole of Ireland into districts, and to appoint inspecting medical officers of health for the purposes of such sanitary inspection."

He also had another Amendment down to the Bill; but he proposed now to postpone them until they got into Committee on the Bill.

MR. J. LOWTHER doubted whether that would in Order.

MR. MELDON then proposed to address the House upon the subject, but——

MR. SPEAKER ruled that the hon. and learned Member was out of Order, as he had already spoken.

Question put, and *agreed to.*

MR. SALT thereupon took the Chair.

Bill *considered* in Committee.

(In the Committee.)

Preamble *postponed.*

Clauses 1 to 4, inclusive, *agreed to.*

MR. J. LOWTHER moved, after Clause 4, to insert the following clause:—

(Loans for paving.)

> "Where any Act empowers any urban authority to cause the streets or footways under their control to be paved or flagged, such Act, so far as it relates to the paving or flagging of streets or footways, shall, for all the purposes of the sections of The Public Health (Ireland) Act, 1878, which have reference to the borrowing of money for the purposes of the Sanitary Acts, be deemed to be a Sanitary Act within the meaning of the term Sanitary Acts, as defined by The Public Health (Ireland) Act, 1878."

MR. MELDON said, he had intended to oppose the introduction of this clause, and, therefore, it was necessary that he should state shortly why he did not oppose it. The right hon. Gentleman the Chief Secretary for Ireland, in moving that Mr. Speaker do now leave the Chair, said that this was merely an amending Bill, and there was no introduction of new matter whatever. Those remarks were directed against the Amendment of which he (Mr. Meldon) had given Notice. And yet the right hon. Gentleman himself introduced a clause of the greatest importance, which was quite foreign to the object of the Bill. It was now proposed, in a Bill to amend the Public Health Act, to give the Corporation of Dublin most unlimited powers of borrowing money. It was estimated that the Corporation required some £400,000 or £500,000 for the purpose of paving the streets. The powers of the Corporation were confined to certain matters, which did not include the power to borrow so enormous a sum of money to pave the streets. As they could not borrow that money for any ordinary purpose, the right hon. Gentleman now wanted to say that the paving of the streets was a sanitary purpose; and, therefore, in this merely amending Bill, he put down a clause giving this enormous power to the Corporation. In his (Mr. Meldon's) opinion, it was not a power that ought to be conferred in this way. When the town of Belfast wanted similar powers in a modified form, the course pursued was not to attempt to introduce a provision of this kind in a secret and covert manner into a Bill; but they got a Provisional Order of the Local Government Board, which was afterwards passed into an Act, after full discussion, and the attention of the House had been specifically called to it. But in this case this enormous power was slipped into a merely amending Bill, as the right hon. Gentleman the Chief Secretary called it. He (Mr. Meldon), therefore, could not, consistently with his duty, assent to the introduction of this clause. But he now understood that hon. Members of the House who represented the citizens of Dublin were in favour of the clause. The hon. Member for Tipperary (Mr. Gray), as leading Member of the Corporation, in whom all the citizens of Dublin had confidence, had given his assent to the clause; and the hon. Member for Dublin (Mr. M. Brooks) also concurred with the right hon. Gentleman the Chief Secretary in the desirableness of this being done. That being so, he (Mr. Meldon) left the entire responsibility with them, and would not seek to oppose the clause.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, there had not been the slightest desire to increase the taxation on the citizens of Dublin. He could not agree with the hon. and learned Member (Mr. Meldon) as to what he had said in respect to sanitary purposes in England. The paving of the streets was regarded as a sanitary purpose, and so it was regarded in a good many towns in Ireland. The citizens of Dublin did not think it unreasonable that they should be in an exceptional position, and this being represented to himself and to his right hon. Friend he had thought it proper to give effect to the suggestions made to them.

MR. M. BROOKS said, really the intention of the clause was to assimilate the law in the case of Dublin to that which obtained in every town in the United Kingdom, and to which Dublin was now the only exception. He did not like to hear it said that the clause had been slipped into the Bill by the right hon. Gentleman the Chief Secretary, as it had been the subject of well-considered Memorials from the Lord Mayor and Corporation of the City of Dublin for a long time.

Clause *agreed to,* and *added* to the Bill.

MR. MELDON moved the insertion of the following clause:—

> "The Local Government Board may, from time to time, appoint so many fit persons as the Lords' Commissioners of Her Majesty's Treasury shall sanction, being practising physicians or surgeons, to be inspecting medical officers of health, to assist in carrying out the provisions of 'The Public Health (Ireland) Act, 1878,' as amended by this Act, and may remove all or any of such officers and appoint others in their stead."

He said, the right hon. Gentleman the Chief Secretary for Ireland was quite right in saying this was not the first time he (Mr. Meldon) had sought to introduce such a clause into the Public Health Code of Ireland. In 1877, when the Bill was introduced, he had endeavoured to show the necessity of giving the Local Government Board the power of appointing and exercising authority over medical officers of health. He had brought the matter before the Select Committee, and had not been met with any arguments to show that it was improper to confer such power on the Board. In England, full and ample powers were enjoyed by the Medical Department of the Local Government Board, and this was found to work successfully. The point was raised before the Committee on the 1878 Bill, and it was said the Local Government Board could exercise the same powers as in England; but that had turned out to be not so, and over and over again applications made to the Board had been met with the reply that they had no power to interfere with the officers of health. He did not wish to make the appointment of medical Inspectors compulsory; but he wished to give the Local Government Board the power of making the appointments for two principal reasons. First, because in the rural districts officers of health found themselves, owing to local influences, unable to discharge their duties as they would desire. If it became their duty to report upon the existence of a nuisance under the Guardians, their employers, they had considerable difficulty in making their reports, or in having those reports acted upon when made. Then, again, officers might be found who pocketed the money, but did not do their work. On the other hand, in Dublin there was a difficulty in getting the duties properly discharged; and to secure that the necessity of having a superintendent was severely felt. He merely wanted to give the Board power to depute an officer to see that the duties were properly discharged, and in the Amendment he had substituted the word "may" for "shall." There would be no necessity of appointing new officers; there were other officers in the service; but under the Act there was no power to make it one of their duties to see that the duty of the officers of health throughout the country was properly discharged. These superintendents would be sometimes required to stand between the officer of health and the persons against whom complaints were made; but often they would be required to go about and see that the officers of health were discharging their duties, and this last was most essential in Dublin. It was not easy to get the dismissal of an officer of health for mere neglect; he must be convicted of misconduct, and what was wanted was the means of keeping a man up to his work; and this was what he desired in giving the Local Government Board the power of making these appointments.

MR. J. LOWTHER said, he was sorry he could not consent to the insertion of the clause. It would necessitate many fresh appointments, for when the hon. and learned Gentleman said the Local Government Board had in its service competent Inspectors, to whose duties this might be added, without going into the question of how far their time would allow of this, he wished to point out that the words used in the clause, "being practising physicians or surgeons," would exclude all lay Inspectors; and there were no practising medical officers connected with the Local Government Board, for those accepting appointments had to devote their entire time to the service. The clause would, therefore, not only add many new appointments, but a new class of appointments, and would involve considerable disarrangement in the service as it stood. He hoped the clause would not be pressed.

MR. MELDON said, he would not press the Amendment, for this reason, if for no other, that he saw he had no possibility of success in pressing it.

Clause, by leave, *withdrawn.*

MR. MELDON said, the other two clauses, being consequent upon the first-mentioned, he would not move them.

Remaining clauses *agreed to.*

Postponed Preamble read, and *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

PARLIAMENTARY FRANCHISE BILL.

(*Mr. Elliot, Mr. Rodwell, Mr. Serjeant Spinks.*)

[BILL 84.] SECOND READING.

ORDER DISCHARGED. BILL WITHDRAWN.

MR. ELLIOT, in moving that the Order for Second Reading be read and discharged, said, he did so on account of the comprehensive character of the measure as affecting the whole of the unenfranchised householders in all the cities and boroughs in England and Wales, and the utter impossibility of a Bill comprehending such grave details being adequately discussed at that late period of the Session.

Motion *agreed to.*

Order for Second Reading read, and *discharged;* Bill *withdrawn.*

SCHOOL BOARDS (DURATION OF LOANS) BILL.—[BILL 219.]

(*Mr. Hanbury, Mr. Pell, Mr. Reginald Yorke.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Pell.*)

SIR CHARLES W. DILKE expressed surprise, saying that he had understood from the hon. Member for North Staffordshire (Mr. Hanbury) that the Bill would not come on. That was at 10 minutes past 2 o'clock.

MR. PELL said, the hon. Member for North Staffordshire (Mr. Hanbury) asked him, subsequently to that time, to move the second reading of the Bill.

MR. CHAMBERLAIN, in moving that the Bill be read a second time that day three months, said, its promoters should have given some reasons why it should be read a second time, for it was of a most important character, involving, as it did, the efficiency of the provision made for educational purposes in every borough throughout the country. It was scarcely courteous to the House to have the Bill flung amongst them without a single word in its favour. The House was taken a little by surprise, and it was difficult to know how to deal with it; but he wished to point out to the House that the provision of school accommodation was not at all a voluntary matter. The various authorities were compelled by Statute to provide sufficient accommodation for all children of school age within their districts. It could not, therefore, be pretended that the Bill was directed to economy, for the school accommodation must be provided. The Bill proposed that loans raised for those purposes should extend over periods of 30 years instead of 50 years, as heretofore; and the effect of that must be that a very much larger sinking fund would have to be created. He had not calculated the difference exactly; but he believed it would not be less than an increase of from 1¼ to 1¾ per cent per annum on the whole capital expenditure upon building. Hon. Members opposite had posed as advocates of economy in School Board management, and they had complained of the school rate of London reaching 5*d* in the pound; but if the proposals in the Bill had governed the action of the London School Board, the rate would be at least 1*d.* or 1½*d.* more than it was at present. The Board would have had no alternative. They must have made the same provision, and incurred the same expenditure; but the charge on the present generation of ratepayers would have been increased to the extent he had stated. Of course, it was difficult to answer arguments in the dark, and he did not know what might be advanced in support of the Bill; but he could not see that the future generation of ratepayers were in any way damnified by the extension of the loan over 50 years. The buildings erected for the purpose of schools, both in the Metropolis and throughout the country, were substantial buildings—much better than the average of similar buildings. Certainly, they would have a much longer life than premises usually erected on 99 years' lease. The life of an ordinary house in the Metropolis was supposed to be about the term of the lease; but all these school buildings would last at least considerably more than a century. At the same time, he did not wish to suggest that loans should extend over such a long term as that; but, certainly, no reason had been shown why the term should be shortened in the manner proposed by the hon. Gentleman. The proposition was certainly a most short-sighted one, and it was a policy instigated by a feeling of opposition which had always existed in the minds of some to school boards and their work. They thought that the more expensive they made the work to the ratepayers the more unpopular the school boards would become with the ratepayers; and in that way they hoped to aid the denominational system, which had always had their consistent support. He did not apply this remark to the hon. Member for South Leicestershire (Mr. Pell), who was nothing, if not an economist. But in this case the economy was a very short-sighted one, for the certain result would be to increase the charge which he (Mr. Pell) and others thought was already too heavy. Under the circumstances, he (Mr. Chamberlain) hoped the Bill would not be allowed hastily to pass the second reading, for it was a measure that must seriously hamper educational work, and add seriously to the already heavy burdens of the ratepayers. He moved the rejection of the Bill.

MR. RYLANDS seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Mr. Chamberlain.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. J. R. YORKE supported the Bill, and said, he thought the facts which had come to the knowledge of the House would, to some extent, justify some jealousy of school board expenditure. The Metropolis was a fair specimen; and, so far from the large expenditure becoming reduced, it seemed to tend to indefinite increase. He was not specially actuated by regard for denominational schools; but he wanted the cheapest system, and he did not see why he should pay a much larger sum for the luxury of compulsion than it was necessary to pay for a voluntary school. The Bill would probably not increase the rates, and the scheme proposed in it had nothing of novelty to recommend it; it existed in Scotland, and the Scotch people, who had many admirable qualities, had one quality in particular—namely, that of looking narrowly after the way in which their money was spent. They preferred repayment in 30 years, and he was bound to believe that they had good reason for that preference. Further, he believed the Bill would prevent the repetition of cases like that of the *Shaftesbury*, for luxurious furniture would have to be renewed in less than 30 years. He did not, however, pretend that the Bill by itself would go very far; but it would do something to bring home to the present generation of ratepayers that if they would indulge in these educational luxuries they must pay the piper. It was not an isolated attack on the school board system, for the Bill was on all fours with the Bill of the Government for limiting to 30 years the loans of the local authorities from the Public Works Loan Commissioners, MR. RAMSAY said, the Scotch Education Act had enabled school boards to borrow for 30 or 50 years, and, perhaps, the majority of loans were for a period not exceeding 30 years. He, himself, was in favour of that term as the maximum; because, apart from other reasons, he thought that the generation for which a school was provided was the generation on which the burden of erecting the school should fall. On looking at the Bill, he did not see that it was one which should meet with opposition from the House. No doubt, in some instances, money had been borrowed in Scotland for longer periods; but, in the general run of cases, it had been thought expedient that the term should not exceed 30 years. In a great many instances, school boards themselves proposed this. In favouring the proposal of the Bill, he must not be understood to be in any way opposing the operations of school boards. If hon. Gentlemen complained of school board expenditure, they should remember that it was the ratepayers who bore the burden, and appointed the school boards, and it rested, therefore, with them to correct any extravagance in the expenditure.

MR. ROWLEY HILL, in opposing the Bill, said, its effect on the school district with which he was connected would be to make the school board rate 7*d.* in the pound instead of 5*d.*

MR. W. E. FORSTER said, the change proposed was an important one, and the House was entitled to hear the views of the Government from a Member connected with either the Education Department or the Treasury, before it signified its assent to the principle of the Bill. In fact, the proposal hardly ought to have been made without the Education Department being represented in that House. He could not conceive for a moment that the Vice President, if he had been aware that a Bill was coming on affecting the position of school boards throughout the country, would have been absent from the discussion. The schools were not built so badly that they would last only for a generation; they would last for two or three generations at least, and it was, therefore, equitable that succeeding generations should contribute to the cost of the buildings while they lasted. It was really only the buildings that were in question, for the amount spent on the furniture was a ridiculously small part of the expenditure of school boards, as the hon. Member for East Gloucestershire (Mr. J. R. Yorke) would see, if he were to move for a Return. The House would remember that, 10 years ago, when the Act was passed, it was at first proposed that the loans should be for 30 years; but the matter was fully considered by Parliament in connection with the year of grace, during which building grants were allowed to be made to the managers of voluntary schools; and that year of grace was agreed to in consideration of the extension of the term of the loans from 30 to 50 years, so that if the shorter term were now imposed there would be a distinct breach of Parliamentary agreement. The inevitable effect of the Bill would be to increase the school board rates by throwing the cost of the buildings on the rates of 30 years instead of 60 years, and, by putting an unjust burden on one generation in respect of the buildings, to restrict either in that respect, or some other, the educational supply. The hon. Member for East Gloucestershire was candid. He avowed that he wished to stop school board expenditure, which he thought was too great. But if the House was asked to legislate on the supposition that school board expenditure was extravagant, it ought to have far more evidence before it than had been yet adduced. More facts ought to be brought forward. Even assuming that the London School Board had made one mistake in respect of a ship, that did not prove anything as to the school buildings on land; and it was not disputed that both in London and the country more schools were wanted and must be supplied, and it would not do to make it more difficult than before to provide those schools. That being so, was it prudent to make the rates heavier for 30 years, in order that for 20 years afterwards the ratepayers might escape contributing to the cost of the schools already built? The ratepaying population was not now in such a state of prosperity that it should be asked to repay faster than it had been accustomed to do, neither was the country in such a condition that it would cheerfully accept a present increase of rates for the benefit of posterity. He should have imagined that the Government, if it had been represented by any other Members than the Chief Secretary for Ireland and the

Postmaster General, would have been anxious to oppose the Bill on that ground, if on no other. He trusted the House would not think of accepting the principle of such a Bill, on which, if the responsible Minister was present, he should ask the Government to give an opinion.

Mr. J. LOWTHER said, the noble Lord the Vice President of the Council, in common with, in all probability, nearly every other hon. Member, had no idea the Bill would come on, or, no doubt, he would have been present. The order of Business had taken a somewhat unexpected turn, which fully accounted for his absence. Speaking for himself, and not on behalf of the Government, after hearing the arguments for and against the Bill, he thought there were strong reasons for supporting it. If it would add 1*d.* or 2*d.* in the pound to the school board rate, that would not in itself be a disadvantage, because it would call attention to the expenditure of the school boards, which was a subject which deserved, in his opinion, a very careful consideration on the part of the public. The excessive expenditure of the London School Board had recently been very ably brought under the notice of the House by his hon. Friend the Member for East Gloucestershire (Mr. J. R. Yorke), who had rendered valuable service by the exposure of the system which prevailed. He (Mr. J. Lowther) was not surprised to hear the right hon. Gentleman (Mr. W. E. Forster) deprecate this suggested improvement, nor was the right hon. Gentleman at all inconsistent in endeavouring to keep the ratepayers in blissful ignorance of the large additions being continually made to their already almost intolerable burdens; because he (Mr. J. Lowther) well remembered that when the Education Act was passing through Committee, in 1870, it was proposed that the school board rate in the Provinces should be levied and collected separately, and kept distinct from other rates, as was the case now in London, whereby the ratepayers were enabled to see how much of their money was being spent by the School Board; but that was resisted by the right hon. Gentleman, and the proposal negatived. It was now said that in the country there was no complaint of the expenditure of the school boards; but that was because London was the only place in which the ratepayers knew how much the school board rate was. ["Oh, oh!"] He declined to enter into the general question of school board work, further than to say he could not endorse the wholesale eulogy of some hon. Members opposite. This generation was expending money, and ought to pay it; another generation might not approve school board expenditure. The Bill was an improvement upon the present system, and as he had said, speaking for himself solely, he hoped it would soon pass into law.

Mr. SHAW LEFEVRE, in opposing the Bill, felt sure the Government could not have considered how the operation of the Bill would increase the burdens of ratepayers in connection with school boards, seeing that it would add £80,000 a-year, or 1 per cent, to those burdens. There had been about 1,200 loans of a sum total of £8,000,000, of which the greater part was borrowed by small places, and an inconsiderable proportion by London; and he did not see why districts which should borrow in future ought to be called upon to pay more than other districts which had already borrowed. He did not believe there had been, as a general rule, extravagance in the building of schools throughout the country. They had been substantially built, but real economy was shown in this. That object would not be obtained by the operation of the Bill, for it would be defeated by the erection of less substantial buildings, which would, in the long run, be far more costly in repairs and renewals than those which were now erected under the 50 years' loans. The case of the ship was a very exceptional case; and there was no allegation of extravagance in the school buildings of London, which were substantial, but no more so than was consistent with the truest economy, having regard to the continuous interests of the London ratepayers, whose property they were. To say the least, their cost compared favourably with the expenses of erecting the voluntary schools, which were assisted by Government grants. He hoped the hon. Member for South Leicestershire (Mr. Pell) would not press his Bill further, in the absence of the responsible Ministers of the Government.

Mr. PELL, in supporting the second reading of the Bill, said, that by allowing his name to be put on its back, his only object was to promote economy, and not to discourage education. He contended that if local authorities had power to borrow money for a very lengthened time they were more likely to be led into extravagance than if the loans had to be repaid in a shorter period. Experience had proved that to be the fact; and it was, therefore, necessary to place some check on the large outlays incurred by school boards at the expense of a future generation. The old proverb, "Come lightly, go lightly," was true in that as in so many other cases. By assenting to the second reading of this Bill, they might make school boards more careful in incurring those obligations. The hon. and learned Member for Oxford (Sir William Harcourt) had talked of their procuring peace with honour on "tick." It was to be feared that the House had too readily accepted the idea of promoting education on "tick," a very protracted "tick," too, which future generations would have to pay. They had no right to be generous with other people's money, especially with the money of a generation still unborn; and, therefore, he approved the reasonable provisions of the measure.

MR. M'LAREN considered that 30 years, and not 50, was a sufficiently long period for these loans to extend over. He thought that bodies, whether public or private, who were obliged to contract debts, should see their way to the payment of these debts within a reasonable period. No person in private life could get the loan of money for 30 years. Even in the case of Government drainage loans made on land, the terms of which had been carefully considered, it had been determined that they should be paid back in 22½ years. Yet they had allowed school boards to borrow for more than double that period. It was said that at the end of 30 years the generation then existing would get the benefit of the schools free of debt. But that generation would have a great deal to do for itself. The population would have increased 50 per cent, and would require to build additional schools. Besides, the schools now being built would by that time cost nearly as much in repairs as would almost be equivalent to the expense of erecting new buildings. It was said that the additional interest of these loans would come to 1 per cent annually; but even allowing that to be the case, 1 per cent upon the loan would not be 1 per cent upon the rate, for the loan would not be one-half of the other expenditure for school purposes. Under the whole circumstances, he thought that if hon. Members would look at the enormous sums that the large towns in particular were borrowing, they would see the necessity of discouraging them and every other community, whether great or small, from undertaking heavy burdens for these long periods. If they wanted to borrow money, they ought to make reasonable provision for paying off their debts in 30 years.

MR. CHILDERS said, this appeared to him not to be a very small question. But whether a small question or not, they ought not to read the Bill a second time without the opinion of the Government upon it. Considering the two Departments interested were the Education Department and the Treasury Department, the statement of the right hon. Gentleman connected with the Irish Government (Mr. J. Lowther) ought not to be deemed sufficient. It was improper that the debate should close before either the Secretary to the Treasury, or the Vice President of the Council, stated the Government's views upon it. The question of building grants to schools had been discussed thoroughly in Parliament when the Education Act was passed, and the decision of Parliament on the 11th July, 1870, was a compromise between the claims of the old and the new schools. The denominational schools were allowed a certain time within which they could obtain building grants, not originally contemplated by the Bill; and the new Board schools, which the localities were to be compelled to erect when school accommodation was deficient, were to be built with money borrowed from Government on easy terms for 50 years. If, before the Board schools, certified as necessary for the country, had got the loans sanctioned and been built, the House passed this Bill at the instance of the patrons of denominational schools, who had got all they wanted, and who desired to prevent the Board schools from obtaining what they needed, it would be a distinct breach of the agreement and compromise come to in 1870; and would cause great irritation on the part of those who had been parties to that compromise. He appealed to the noble Lord the Vice President of the Council to say whether the Government were prepared to support the Bill, and on what grounds.

Mr. A. M'ARTHUR, as a member of the first School Board of London, testified that that body had taken the greatest care and pains to select sites and build schools in the cheapest and best manner; and he believed that it had succeeded, on the whole, in executing that work, especially considering the unavoidably expensive character of many of the sites, as economically as it had been done in the country districts. He thought the passage of the Bill would be most unfair to the school boards throughout the country, and would be most damaging to the cause of education.

Mr. DILLWYN said, he did not think the House should come to a decision without the Government stating their opinion upon the Bill. He would, therefore, move the adjournment of the debate.

Mr. BARRAN seconded the Motion, remarking that the Bill had been unexpectedly sprung upon the House that afternoon. It would, undoubtedly, whatever the motives of its authors, retard the cause of education.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Dillwyn.*)

Lord GEORGE HAMILTON said, he was sorry he had not been present during the debate; but he had never expected the Bill would be reached. He had, however, come down to the House directly he heard it was under notice. From what he had heard, the debate seemed much ado about nothing. ["Oh, oh!"] The Bill simply proposed to substitute "30" in place of "50." In many cases, school board loans had been already contracted for 30 years only; and the Bill would make no difference whatever, as regarded the terms upon which loans had been already raised. The school accommodation throughout England was almost sufficient, with the exception of that of a few large towns. It was only in London, and some other large towns, with a constantly-increasing population, that the school boards would have to borrow money. If that was all that was proposed in the Bill now, how could hon. Members connect the proposal with any injury to the quantity or quality of the education given? The Bill proposed that in future any sums which were borrowed with the consent of the Education Department, in order to provide necessary school accommodation, should be repaid within 30 years, instead of 50. His hon. Friend, in fact, merely proposed to assimilate the borrowing power of school boards to that of other local authorities, for those bodies were the only public institutions which were not compelled to pay back loans in 30 years. No doubt, it would hit the present generation rather harder than the existing Act, but it was not a material difference; and as, in his judgment, the Bill would do no harm, he should be prepared to vote in favour of the second reading.

Mr. CHAMBERLAIN said, the noble Lord the Vice President of the Council was under considerable misapprehension, when he said that other local authorities were compelled to pay back loans in 30 years. By far the larger amount of the loans made by the Public Works Loan Commission, under various Acts of Parliament, had been made for much longer periods than 30 years, the periods being 50, 60, and even 75 years in some cases. The noble Lord also was under a misapprehension when he said the Bill would not seriously affect the education in many parts of the Kingdom—

And it being a quarter of an hour before Six of the clock, the Debate stood adjourned till *To-morrow.*

PARLIAMENTARY REPORTING.

MESSAGE FROM THE LORDS.

That they do *request,* that this House will be pleased to communicate to their Lordships, Copies of the Reports from the Select Committee appointed by this House in the present Session and in the last Session on Parliamentary Reporting, together with the Minutes of Evidence, &c.

JUDICIAL FACTORS (SCOTLAND) BILL.

On Motion of Mr. Ramsay, Bill to provide for the appointment of Judicial Factors by Sheriff Courts in Scotland, *ordered* to be brought in by Mr. Ramsay, Mr. Baxter, Sir Graham Montgomery, and Mr. Dalrymple.

Bill *presented,* and read the first time. [Bill 257.]

MUNICIPAL ELECTIONS (IRELAND) BILL.

On Motion of Mr. JAMES LOWTHER, Bill to amend the Law regulating Municipal Elections in Ireland, *ordered* to be brought in by JAMES LOWTHER and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented*, and read the first time. [Bill 256.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 24*th July*, 1879.

MINUTES.]—PUBLIC BILLS—*Second Reading*—New Forest Act (1877) Amendment* (149); Bills of Sale (Ireland)* (155); Slave Trade (East African Courts)* (147).

Committee—Summary Jurisdiction* (97-162).

Committee — Report — Commons Act (1876) Amendment* (152).

Third Reading—Customs Buildings* (146), and *passed.*

Royal Assent—Army Discipline and Regulation [42 & 43 *Vict.* c. 33]; Army Discipline and Regulation (Commencement) [42 & 43 *Vict.* c. 32]; Children's Dangerous Performances [42 & 43 *Vict.* c. 34]; Public Loans Remission [42 & 43 *Vict.* c. 35].

SUMMARY JURISDICTION BILL.

(*The Lord Chancellor.*)

(NO. 97.) COMMITTEE.

House in Committee (according to Order).

Amendments made: The Report thereof to be received on *Thursday* next; and Bill to be *printed*, as amended. (No. 126.)

ARTIZANS' AND LABOURERS' DWELLINGS ACT, 1875.—RESOLUTION.

THE EARL OF CAMPERDOWN rose to call attention to the enormous pecuniary loss already incurred by the Metropolitan ratepayers in carrying out the Artizans' and Labourers' Dwellings Act, 1875, and also to the declaration of the Chairman of the Metropolitan Board of Works that it was impossible to estimate the entire cost which might fall to the ratepayers under that Act; and to move a Resolution. The noble Earl said, he believed he would be able to show that the result of the proceedings taken under the Act up to the present time had resulted in a loss to the ratepayers of seven-eighths of the money expended, or £500,000 sterling; that thus there had been thrown upon the ratepayers a very heavy burden, which, to a large extent, ought to have fallen upon other shoulders; and even that the Metropolitan Board of Works, who were the authority charged with carrying out the provisions of the Act, were unable to say what would be the ultimate cost of the measure to the ratepayers. Indeed, in reply to a Question addressed to him elsewhere, Sir James M'Garel-Hogg, the Chairman of the Metropolitan Board of Works, made the following statement:—

> "It is impossible to say what will be the entire cost to the Metropolitan ratepayers of carrying out the Artizans' and Labourers' Dwellings Act, as there are many cases before the Board in respect of which schemes have not yet been prepared nor estimates made. Up to the present time, of 14 schemes approved by Parliament, the loss on the six sites referred to will be £562,061, while that on the remaining eight is estimated at £514,409—assuming that the prices received for land equal, and do not exceed, those already offered. The whole matter is under consideration by a Committee of the Board, who propose to make a representation to the Secretary of State, with a view to the amendment of the Act."

Thus, there was already a loss of £1,000,000; and it might, therefore, be fairly contended that if all the schemes in contemplation were carried out there would probably be a loss to the ratepayers of upwards of £2,000,000. Moreover, it was quite possible that the Medical Officers of the various parishes might submit further schemes to the Metropolitan Board of Works; and, therefore, it must not be supposed that the sum of £2,000,000 which he had mentioned necessarily included all the expenditure which might be incurred under the Act. Now, to whom was this very large sum of money to be paid? It would be paid chiefly to the owners of dwellings which were unfit for human habitation — those dwellings against which the Medical Officers reported that they were fever-nests of the worst description. For instance, a Report sent in by the Medical Officer of the Bermondsey Vestry stated that the whole site proposed to be acquired was a plague-spot and a fever-nest. That that was the worst Report of the whole he was bound to admit; but it should be remembered that all the Reports had reference to houses which were declared to be totally unfit for human habitation. Their Lordships would naturally inquire how it happened that so large a compensation was given to persons who had no claim to liberal treatment? In the first place, the sums paid to them were out of all proportion to the sums eventually obtained by the sale of the sites. Again, these bad houses were very densely populated; but when proper houses were erected fewer tenants could be accommodated, and the money received for rent was consequently very much less. If, in the first instance, the Nuisances Removal Act had been put in force, these fever dens could not have been used for habitations; and in that case the ratepayers, when they came to acquire the property, would have obtained it for something more nearly approaching its real value—this applied to the six sites referred to in the answer of the Chairman of the Metropolitan Board to the Peabody Trustees, and the private persons who undertook to build houses for the working classes. But these persons were unwilling to pay large sums for these sites. It was said that the Board had taken these properties at the fair market value. If that was so, there was some defect in the working of the Act. He did not object to a purchase "at the fair market value;" but what was that fair market value? It seemed as though the Board had purchased the property, not according to the actual value of the individual house, but had taken the rents paid by the the tenantry, and given so many years' purchase upon them. It seemed to him that the proper mode of proceeding would have been to consider these houses as condemned nuisances, which must be removed under the Nuisances Removal Act, and paid for them accordingly. Let them consider what had been the effect of the Artizans' and Labourers' Dwellings Act up to the present time. He had no hesitation in saying that the effect had been to establish and encourage a trade in those houses which were unfit for human habitation. It was notorious that persons had been paid for such houses very much larger sums than they could have obtained in the open market; therefore, it might be taken for granted that in the case of the other schemes which had not yet been sanctioned a considerable trade in this class of houses would be established. Who was to blame for this state of things? The Metropolitan Board of Works had been very earnest in endeavouring to prove that they were not responsible for it, and that they were merely the instruments for giving effect to the provisions of the Act. He admitted that he did not think the Home Office, in introducing the measure, sufficiently considered what would be the result of the arbitration clause. For his own part, he agreed thoroughly in the purposes of the Act; but it would have been better if provision had been made for purchasing the property at a price more nearly approaching its real market value. The Metropolitan Board of Works was stated to be composed of the most eminent members of the vestries and yet they had never thought of enforcing the provisions of the Nuisances Removal Act. Had that been done it would not have been necessary to pass the Artizans' and Labourers' Dwellings Act of 1875. The information of the Metropolitan Board of Works on that whole subject appeared to have been very inadequate. According to a Return of the 6th of March last the net cost of six of the schemes to which he had referred was £562,000; while he found that on the 31st of December of last year the Metropolitan Board of Works estimated the cost of those improvements at £285,101. He could not understand how so great a miscalculation should have arisen. Up to the present time they had cost £500,000; and if the Metropolitan Board of Works insisted on purchasing the sites they might acquire under the eight other schemes which had been sanctioned by Parliament, they would probably lose another £500,000. He thought that such a state of things ought not to be allowed to continue, and he trusted their Lordships would at least refuse to sanction any more of these schemes until some amendment was made in regard to the principle of compensation. He understood that the superintending Architect of the Metropolitan Board of Works had now advised the Board that the only alternative course it could adopt in order to relieve it from its difficulties and put it in the best commercial condition was to obtain an Act that would enable it to erect buildings on the sites which it might purchase. Now, he hoped that whatever else their Lordships might do they would not sanction such a proposal as that. He might be asked what remedy he would propose? At any rate, there was one very simple remedy which might be resorted to—namely, they might pass an Act requiring the Nuisances Removal Act to be put in force with an adequate penalty. Why should the owners of houses which were a source of plague and disease and a disgrace to a civilized community be allowed to let such places for human habitation? For these reasons he had brought forward his Resolution. He had been informed, within the last few hours, that the Home Secretary had given Notice in the other House that it was his intention to introduce an Act to amend the Artizans' Dwellings Act. Now, he submitted that in passing his Resolution their Lordships would not be interfering with any improvement which that Minister might be making; but that they would be expressing their opinion that it was very undesirable that Parliament should sanction any other scheme based on the principle which had been followed up to the present time.

Moved to resolve—

"That in the opinion of this House no further improvements ought to be sanctioned under the Act until the principle on which compensation is awarded for property taken shall have been amended."—(*The Earl of Camperdown.*)

EARL BEAUCHAMP said, he was glad that the noble Earl (the Earl of Camperdown) had brought forward this subject, which had caused a good deal of misapprehension, and, in some cases, even an amount of panic. It often happened that when some large and beneficent scheme of improvement was in progress all went very well until the bill was presented, when the cold fit came on, and many people stood aghast. In this instance, however, he thought he could show their Lordships that there was really not so much ground for alarm as the noble Earl's remarks might lead them to suppose. The noble Earl had said that the burden of the Artizans' Dwellings Act ought to be thrown on other shoulders; but he had failed to indicate whose those other shoulders should be. The only hint he had given them on that point was that the owners of the property proposed to be taken should be compelled to undergo a considerable sacrifice in order that the Act might be carried out. When the Artizans' Dwellings Act was passed in 1875, nobody questioned its wisdom or denied its justification; and it was then pointed out that, in the nature of things, a considerable time must elapse before its full benefit could be realized. The scope or object of the measure was not to provide dwellings for artizans, but to provide sites for such dwellings; and, in connection with that it was sought to clear certain overcrowded areas, which were fever-dens and plague-spots in the midst of a dense population. That object was, in some measure, in process of being attained. The noble Earl based his Resolution on the cost of carrying the Act into effect. It was a famous saying of Napoleon that they could not make omelettes without breaking eggs. It was equally impossible, in a city containing some 4,000,000 of inhabitants, to get rid of those centres of disease and infection without incurring considerable expense. He did not think that the noble Earl had made out a case of mismanagement against the Metropolitan authorities. A great many Metropolitan improvements had been carried out during the last half century; but, unfortunately, those very improvements had in a great degree occasioned the evils of overcrowding which the Act of 1875 was intended to remedy, because they had caused a great displacement of the working classes without providing them with other and more suitable dwellings. It would be most undesirable to sweep away from the Statute Book that provision of the Act of 1875 which said that the improvement schemes of local authorities should be accompanied by conditions in favour of the working classes who might be displaced. The Act of 1875, no doubt, followed very much the lines of the Improvements Acts of Glasgow, Edinburgh, and Liverpool; but those cities, being neither so large nor so populous as London, found it comparatively easy to accommodate the working classes in the suburbs and elsewhere when their old houses were demolished. In London, on the contrary, this was in many cases quite impossible, and it was necessary to provide dwellings for the working men in the neighbourhood of their work. The noble Earl had pointed to the compensation clauses as another cause of expense. Now, one reason why those areas had not been cleared long before arose from the great complexity of the interests involved. The noble Earl appeared to imagine that in every case there was some individual owner who could be promptly and easily dealt with. This, however, was a misapprehension. There were often three classes of persons to be considered—namely, freeholders, leaseholders, and occupiers. Then, again, because a house was situated in an unhealthy district, it did not necessarily follow that it was itself a nuisance, or in an unsanitary condition—many unsanitary buildings existed side by side with others which were unobjectionable—but they had to deal with the area as a whole, including this latter class of buildings. In these circumstances, it would be manifestly unjust to deprive the owner of a habitable house of proper compensation when his property was taken from him. The noble Earl would, therefore, see that the interests might be very complicated, and that it might be impossible to settle the question of compensation by any simple process. The Nuisances Removal Act was a very useful measure; but the expense it would entail was such as to prevent them from proceeding under its provisions. It was very desirable, in dealing with these sites, to have a uniform system of valuation; and the Act of 1875, so far from neglecting the question of compensation, took a very stringent step regarding it. It contained a very special provision, borrowed from the Irish Lands Clauses Act, which provided that owners of property should not receive compensation for the enhanced value, but only the fair market value of the land as it stood. What panacea did the noble Earl propose, and on whose shoulders did he wish to throw the burden? In drawing a picture of the expense incurred, he had omitted to speak of the number of persons who would be benefited. He found, for example, that on the six sites to which the noble Earl had referred the population displaced amounted to over 11,000, and provision had been made upon them for as many as 11,500. It was, he thought, some satisfaction that the outlay would be attended with substantial benefit to so large a number of persons. He denied that the loss would be so great as the noble Earl had represented. Experience had shown that even in Glasgow and Edinburgh, where a building had been removed and replaced by another, a substantial pecuniary benefit had been derived. For one thing, the rateable value would be increased, and the indirect benefits would also be considerable, because it was an ascertained fact that the improvements were always attended by a diminution of disease and pauperism. The case was, therefore, not so bad as the noble Earl would make it out to be. Great attention had been paid to the accumulation and study of statistics; but of what use were they if not as a basis of legislation? They were too apt, in dealing with statistics, to forget that every unit represented human life and human suffering. If it could be shown that disease could be controlled and diminished, and human life prolonged, by such improvements as the Artizans' Dwellings Act introduced, the House would be slow to accept the indictment that had been made against it by the noble Earl. It would be a great injustice to go beyond the provisions of that Act; the owners were not a class to be treated in a rough-and-ready manner, and there was a great complication of interests to be regarded. When the history of the present Reign came to be written, there was no page which would shine more brightly than that which recorded the efforts made for the improvement of the health and morals of their fellow-subjects.

Earl GRANVILLE said, their Lordships were all ready to acknowledge that the object of the Artizans' Dwellings Act was a most desirable one—the question was, how had it been carried out by the present Act? With regard to the statement made by his noble Friend (the Earl of Camperdown), he thought it was one which had not been answered by the remarks of the noble Earl who had just sat down. The noble Earl said that his noble Friend did not indicate on whose shoulders the expense was to fall. Now, it was quite clear, from his noble Friend's observations, that he did not wish for any act of spoliation against the owners, and that what he sought was that they should be dealt with justly and reasonably. Great dissatisfaction had been justly felt at the excessive sums that had been given as compensation for dwellings which were absolute nuisances. The noble

Earl seemed to think that the noble Earl (the Earl of Camperdown) brought a charge against the arbitrator, Sir Henry Hunt. But he did not do so. Sir Henry Hunt was, and is, well known by many of their Lordships as a gentleman whom all would be glad to choose as an arbitrator, not only from his knowledge and abilities, but also from his high character. But he had to deal with the facts as they were created for him by the statute; and it was, besides, only right when they were purchasing eggs to make omelettes they should take care they were good ones. The only explanation offered by the noble Earl opposite, with reference to the Nuisances' Removal Act, was that it could not be put into force on account of its great expense and complexity. But no one would, surely, believe that that expense would amount to the enormous cost entailed by the application of the Artizans' Dwellings Act, as they had now discovered. Nothing could be more fatal than to allow so large an expenditure as that which was being incurred in carrying out the Artizans' Dwellings Act to be borne by the ratepayers of the Metropolis. Notwithstanding the pressure put upon the Government at the time, they persisted in departing from the principle adopted in the Glasgow and Liverpool Acts. That, he held, was a great mistake. The Government would, he feared, be straitened in their humane efforts in promoting the objects of the Artizans' Dwellings Act if they remained perfectly satisfied with the *status quo*, and consented to an enormous fine to be inflicted upon the ratepayers of the Metropolis.

THE EARL OF BEACONSFIELD: My Lords, I am sorry to hear the noble Earl (Earl Granville) charge the Government with being contented with the *status quo*, after the announcement made this evening by my noble Friend that Notice had been given in the other House of the intention of the Government to amend the Act which we are now discussing. That, I think, shows that, on our part, there is a wish to improve that Act. No doubt, when an undertaking of this kind is attempted, it is very difficult, from the largeness and novelty of the subject, to bring forth at once an altogether perfect measure. The noble Earl who has just addressed us has not touched any of the points in my noble Friend's (Earl Beauchamp's) speech, and, indeed, I think they were not very easy to answer. In the first place, with regard to the Nuisances Removal Act, the reason why the Artisans' Dwellings Act was brought in was because the machinery provided by the Nuisances Removal Act was found insufficient to effect those changes which were absolutely necessary. Before it became law, it was possible to deal with isolated houses here and there; but they could not deal with areas; and unless they dealt with areas they could not secure a change in the sanitary condition of a great city like London, although public opinion, expressed in a most undisguised and undoubted manner, demanded such a change. With regard to compensation, the charge made by the noble Earl who introduced this debate was met by my noble Friend (Earl Beauchamp) in a complete manner; but the noble Earl who has just sat down avoided that answer. My noble Friend showed—as was impressed upon the House by the noble Earl who introduced this discussion—that compensation was not merely given to the owners of the miserable haunts of fever and disease, which were swept away under the provisions of this Act, but that it was also demanded, and it was necessary to afford it, in respect of those tenements which were really not themselves liable to that imputation. I hope, although Parliament will always be ready to improve the working of the Act, as experience guides and enlightens it, there will be no attempt to tamper with the principles on which that Act is founded, and with the admirable provisions which it contains. I do not believe there was any measure ever brought forward more desired by the country, and more approved by it, or which more completely effected the object it had in view—namely, the improvement of the sanitary condition and health of the people of this country.

THE EARL OF CAMPERDOWN observed, in reply, that it seemed only too evident that compensation was sometimes given for houses unfit for habitation. The owners of such houses ought either not to let them, or else to put them in a proper state of repair. The noble Earl, who had stated that the Nuisances Removal Act could not be worked on account of the expense, was, apparently, not aware of the procedure under that Act. It was simple enough. The local authority complained to a stipendary magistrate, and the magistrate could prohibit the use and occupation of the house till the necessary repairs were done. He would point out, in conclusion, that the ratepayers of Glasgow and Edinburgh, fortunately for themselves, lived under a very different government from the government of London.

On Question? *Resolved* in the *Negative.*

THE INCOME TAX — AGRICULTURAL DEPRESSION.—QUESTIONS.

THE EARL OF STRADBROKE asked the Lord President of the Council, What amount of Income Tax is to be paid by landlords whose rents have been reduced since last year owing to the existing severe depression of agriculture. Also, what tenants are to pay, who can prove that they have made no profit on their occupation during the last year?

THE DUKE OF RICHMOND AND GORDON said, in reply to the first Question, that the Income Tax assessed under Schedule A was paid by the landlord through his tenant, who afterwards deducted it from the rent. The amount on which the tax was levied was either based on the actual rent or the annual value, as the District Commissioners might think fit to assess it. If the landlord remitted a portion of the rent, that was a private arrangement between himself and his tenant which took the form of a mere casual reduction for the year. It might, therefore, be quite in the power of the landlord to say to the tenant that he would remit a certain proportion of the rent *minus* the Income Tax, and then the tenant would pay the tax as before. If, however, as the noble Earl seemed to put the point, the reduction of rent was to be permanent, then, of course, it would be open to the tenant to apply to the Commissioners and to state that the rent upon which the assessment had been made was no longer the rent of his farm. As to the second Question—which came under the head of Schedule B—all that would be necessary was, that the tenant should go to the Commissioners and prove to them that he had made no profit out of his business, and that, therefore, he ought not to be taxed an an income which he had never received. The two cases were, in fact, quite distinct. The arrangement between the landlord and his tenant was one between themselves and not between them and the Government; while, in the second case, all that the tenant had to do was to show the Commissioners that he had made no profit out of his farm.

THE INCOME TAX—EDUCATION RATES.

QUESTION.

LORD STANLEY OF ALDERLEY asked, Whether farmers or others paying an education rate exceeding 3*d.* in the pound are not entitled to deduct from their income the amount paid for education rates in paying Income Tax?

THE DUKE OF RICHMOND AND GORDON, in reply, said, that the amount paid to the School Boards for the purposes of education did not constitute an allowable deduction from the Income Tax.

PARLIAMENTARY REPORTING.

Reports from the Select Committee appointed by the House of Commons in the present and the last Sessions of Parliament, together with the Minutes of Evidence, &c.: Communicated (pursuant to message of Tuesday last), and ordered to lie on the Table.

House adjourned at half past Seven o'clock, Till to-morrow, half past Eleven o'clock.

HOUSE OF COMMONS,

Thursday, 24th July, 1879.

MINUTES.]—SELECT COMMITTEE—*Report*—East India (Public Works) [No. 312].

PUBLIC BILLS—*Resolution in Committee*—Public Works Loans [Advances, &c.].

Ordered — *First Reading* — Registry Courts (Ireland) (Practice) * [259].

Second Reading—University Education (Ireland) (No. 2) [250]; Poor Law (Scotland) (No. 2)* [252]; Occupation Roads [241]; Civil Procedure Acts Repeal * [253].

Select Committee—*Report*—Knightsbridge and other Crown Lands * [231-258].

Considered as amended — Lord Clerk Register (Scotland) * [196].

Considered as amended—*Third Reading*—Turnpike Acts Continuance * [239], and *passed.*

QUESTIONS.

INDIA—THE MAHARAJAH DHULEEP SINGH.—QUESTIONS.

MR. FAWCETT asked the Under Secretary of State for India, Whether it is the fact that an application has been made to the Secretary of State for India in Council, by Maharajah Dhuleep Singh, for an increase in the allowance annually made to him out of the revenues of India; and, if such application has been made, what action has been taken in reference to it by the Secretary of State in Council?

MR. E. STANHOPE: Yes, Sir; it is true that an application to this effect has been made. It is still under the consideration of the Secretary of State in Council, and the opinion of the Government of India has been invited on the subject.

MR. FAWCETT asked, Whether, before the Government came to any decision on the point, Papers on the subject would be produced, in order to enable the House to express an opinion in reference to the application?

MR. E. STANHOPE: Will the hon. Member give Notice of the Question?

MR. FAWCETT said, he would repeat the Question on Monday.

HALL MARKING (GOLD AND SILVER). QUESTION.

MR. HANBURY (for Sir CHARLES RUSSELL) asked Mr. Chancellor of the Exchequer, What action the Government will take upon the recommendation of the Select Committee on "Hall-Marking (Gold and Silver);" and, in the event of the duties being lowered or abolished, when the change in the law will come into operation; and, whether rebate will be allowed on the stocks of new plate held by the trade?

THE CHANCELLOR OF THE EXCHEQUER: Sir, in answer to my hon. Friend, I can only say that, at present, the Government have no intention of proposing any reduction in, or the abolition of, the duties on gold and silver.

GREENWICH AND MERCHANT SEAMEN HOSPITAL.—QUESTION.

MR. FRY asked the President of the Board of Trade, Whether it is the fact that a large number of merchant seamen who formerly contributed to the maintenance of Greenwich Hospital, and who are now incapacitated by age and infirmity from following their calling, derive no benefit from their contributions to the funds of the hospital; and, if so, whether Her Majesty's Government will take any step to remedy the grievance in question?

VISCOUNT SANDON: Sir, no communication has been addressed to me on the subject of the hon. Member's Question since I have held my present Office, and I have no facts before me to enable me to say whether the supposition upon which it is based is a correct one; but, as far as I have been able to ascertain in the Office, I am inclined to doubt it. If the hon. Member would be so good as to send me a statement on the subject, I should be happy to inquire into it carefully, and to give him the fullest information I can in the matter; and if he should think it desirable I will lay upon the Table of Parliament the Correspondence between us.

BRITISH COLUMBIA—ESQUIMALT DOCK.—QUESTION.

COLONEL ARBUTHNOT asked the First Lord of the Admiralty, Whether the Provincial Government of British Columbia applied to the Imperial Government through Admiral de Horsey, in 1877, for a grant of £100,000 in aid of the dock at Esquimalt in lieu of £50,000 already promised; whether that Admiral and his predecessors have repeatedly urged on the attention of the Admiralty the necessity of providing dock accommodation for Her Majesty's ships on the station; what is the condition of the Esquimalt dock at present; and, whether there is any correspondence on the subject, either at the Admiralty or Colonial Office, which can, without prejudice to the public service, be laid upon the Table?

MR. W. H. SMITH: Sir, there has been some Correspondence between the Provincial Government of British Columbia, the Dominion Government, and the Home Government with respect to assistance suggested to be given to a proposed dock at Esquimalt; but it would not be to the public interest that the Correspondence should be produced. The necessity for dock accommodation on the Pacific Station has been urged by the Admirals commanding; but it is doubtful whether Esquimalt would be the best position for the work the Squadron has to perform. I am not aware how much progress has been made with the dock at Esquimalt.

COLONIAL NAVAL DEFENCE ACT, 1865—ROYAL COLONIAL NAVAL RESERVE MEN.—QUESTION.

COLONEL ARBUTHNOT asked the Secretary of State for the Colonies, If he will either state or grant a Return of the number of Royal Colonial Naval Reserve men and Royal Colonial Naval Volunteers enrolled under the provisions of "The Colonial Naval Defence Act, 1865," in the Dominion of Canada, and in the Colonies of New South Wales, South Australia, Tasmania, Queensland, and New Zealand?

SIR MICHAEL HICKS-BEACH: Sir, I believe that none of the Colonies mentioned in the Question have availed themselves of the provisions of the Colonial Naval Defence Act; but in the Colony of New South Wales there is a force of 282 Naval Volunteers, and in New Zealand of 431, raised under local Acts. These numbers must, of course, be considered as the numbers of a force capable of expansion if required; and I do not doubt that they will be increased in accordance with the efforts being made by these Colonies to provide for their defence.

MERCHANT SEAMEN—LEGISLATION.
QUESTION.

MR. BURT asked the President of the Board of Trade, If he can state when he will introduce the promised Bill relating to Seamen?

VISCOUNT SANDON: Sir, I have been most anxious to introduce the Bill respecting Merchant Seamen, which I mentioned at the beginning of the Session I had prepared. Up to the present date the prolonged discussions which have occurred in this House have made it impossible for me to ask the House to deal with this and other mattters of importance, such as railway questions, in connection with the Board of Trade; and now I am sure the hon. Gentleman will agree with me that to bring in a Bill of importance at this period of the Session could lead to no good or useful result.

ARMY—SUPPLY OF WATER TO LANDGUARD FORT.—QUESTION.

MR. BENTINCK asked the Secretary of State for War, Whether Landguard Fort has not been rebuilt without providing a supply of fresh water; whether the water in the new artesian well is not salt; and, whether it is intended to continue expenditure at Landguard Fort when, from want of fresh water, it cannot be garrisoned?

COLONEL STANLEY, in reply, said, that when the re-building of Landguard Fort was commenced there was a good supply of fresh water; but it had since been impaired by the operations of the owner of a neighbouring property. Samples from well-boring had proved brackish; but he hoped a better supply would soon be obtained. The war authorities were considering what should be done in the matter. The fort was now completed, and would be garrisoned.

POOR LAW—PAUPER NURSES.
QUESTION.

MR. RATHBONE asked the President of the Local Government Board, Whether his attention has been called to an inquest held by Dr. Hardwicke, on the 27th of June, at Clerkenwell, on the body of a child, found dead in Farringdon Road Workhouse, who had been placed under the care of a deaf pauper nurse; and, if he can take steps to prevent paupers being placed in situations of trust and responsibility where want of skill or care must frequently result in permanent injury or death?

MR. SCLATER-BOOTH: Sir, my attention has been drawn to this case, and application was made by my directions to the Coroner several days ago for the depositions, which I only received this morning. I have also caused one of the Inspectors of the Metropolis to make inquiry into the matter. It is true that this child was placed, with some others, in a ward which was left at night in charge of a pauper nurse who is rather deaf, although during the day the ward is in charge of a paid and responsible nurse. It is obvious that this was an improper proceeding, and steps will be taken to prevent its recurrence. Constant efforts are being made by me to insure that all offices of trust and responsibility in workhouses shall be filled up by paid officers and assistants, and in the new infirmaries I have succeeded in abolishing pauper help almost entirely.

ARMY (ORDNANCE DEPARTMENT)—HEAVY RIFLED ORDNANCE — THOMAS *v.* THE QUEEN.

QUESTIONS.

COLONEL COLTHURST asked the Secretary of State for War, Whether any person other than Mr. Lynall Thomas claims to be the originator of the system of heavy rifled ordnance of which the 7-inch 7-ton gun was stated in the evidence given by the Crown, in the case of Thomas against the Queen, to be the standard gun in Her Majesty's Service; and, if so, whether he will be good enough to give the name of that person?

SIR HENRY HAVELOCK asked the Secretary of State for War, Whether any person other than Mr. Lynall Thomas claims to be the originator of the system of heavy rifled ordnance, of which the 7-inch 7-ton gun was stated, in the evidence given by the Crown in the case of Thomas against the Queen, to be the standard gun in Her Majesty's service; and, if so, whether he will be good enough to give the name of such claimant?

LORD EUSTACE CECIL: Sir, the system of heavy rifled ordnance in use in the Service, and alluded to in the Questions, was originated in the Government factories quite independently of any gun designed by Mr. Lynall Thomas, and this view is borne out by the evidence for the Crown in the case referred to.

SIR HENRY HAVELOCK asked, Whether it was not the fact that the jury in the recent case of "Thomas *v.* the Queen," gave a unanimous verdict in favour of Mr. Lynall Thomas's claims?

LORD EUSTACE CECIL: Perhaps the hon. and gallant Member will repeat that Question on another day?

IRELAND—ORANGE CELEBRATION DINNER IN GOREY.—QUESTION.

MR. O'CLERY asked the Chief Secretary for Ireland, If Mr. John C. Pounden, of Ballywalter, co. Wexford, is a Justice of the Peace for that county, and if he presided recently at a Twelfth of July Celebration dinner in the Orange Hall, Gorey; whether the parties over whom he presided on that occasion subsequently displayed firearms through the town, and whether breaches of the peace occurred in consequence; and, whether his conduct in so acting is approved by the Government?

MR. J. LOWTHER: Sir, I have not yet been able to receive information on this subject. As soon as I saw the Notice of the hon. Gentleman's Question I sent over to inquire; but there has not been as yet any time to receive a reply. However, I cannot say that this gentleman, assuming that the facts are as stated, was guilty of any act calling for censure, because there is no statement that he accompanied any of the parties.

ARMY OFFICERS AS WAR CORRESPONDENTS.—QUESTIONS.

SIR GEORGE CAMPBELL asked the Under Secretary of State for India, Whether, since it appears from General Roberts' letter of April 18th, and otherwise, that officers of the Army in Afghanistan have been acting as special correspondents of the "Times," "Daily Telegraph," "Standard," and other papers, and that this is contrary to the Regulations for the government of the Army (as stated by the Secretary of State for War), he can say if the Government of India have relaxed those Regulations in respect of officers serving under them; if so, whether all officers in the Field are allowed to act as special correspondents, and to receive pay for doing so, or only particular officers specially permitted so to act; whether officers so acting are free to write as they choose on their own responsibilities, or their communications are subject to the control and approval of the commanding officer; and, in case he cannot completely answer these Questions, whether he will inquire from India?

MR. E. STANHOPE: Sir, the "Bengal Army Regulations" follow the "Queen's Regulations" in forbidding the publication of military information, but only where the publication of such information would be prejudicial to the interests of the Public Service. Paragraph 517 runs—

> "Commanding officers are to use their utmost vigilance to prevent the officers, non-commissioned officers, and men publishing information relative to the numbers, movements, or operations of troops, or any military details that may be prejudicial to the interests of the public service; and any officer or soldier will be held personally responsible for reports of this kind which he may make without special permission, or for placing the information beyond his control so that it finds its way into unauthorized hands."

Within the scope of the Regulation thus limited, and under the responsibility thus imposed on him, doubtless an officer may communicate information. Whether for such literary work they receive pay or not is a matter with which the Secretary of State for India has no concern, and whether the officer commanding the troops considers it needful to exercise control over the communications which leave his camp, must depend on the nature of the duty on which the troops are employed, and the peculiar circumstances in each case, and must be left to his discretion. To lay down any general rule in such cases, without regard to the circumstances, would be to fetter the discretion of commanding officers in a way which would be prejudicial to the Public Service.

SIR GEORGE CAMPBELL asked, Whether the "Bengal Regulations" were applicable to the Regular regiments serving in India?

MR. E. STANHOPE: I believe so, Sir.

THE LATE PRINCE IMPERIAL—MONUMENT IN WESTMINSTER ABBEY.

QUESTIONS.

MR. PRICE asked the Secretary of State for War, Whether it is true that a Circular, bearing the address "Horse Guards, Pall Mall," has been forwarded to every regiment of the regular Army and Militia, inviting subscriptions from the officers, non-commissioned officers, and men of each regiment for the purpose of erecting a memorial to the late Prince Louis Napoleon; and, whether there is any precedent for issuing such a Circular, purporting to have emanated from a meeting of officers of the British Army, "held under the auspices of the Field Marshal Commanding in Chief," bearing the address "Horse Guards, Pall Mall," and which Circular invites subscriptions for a purpose about which it is not impossible there may be differences of opinion?

COLONEL STANLEY: Sir, it is the case that a circular was issued inviting subscriptions; but it was distinctly understood that such subscriptions were to be of a private character. I regret to say that the circular was drawn up inadvertently by an officer, who overlooked the fact that it was dated from the Horse Guards. I believe, however, it is well understood throughout the Service that the subscriptions are entirely private and entirely voluntary. If I find that any misapprehension exists on this point, I shall cause another circular to be issued which will remove it. In regard to precedent, I have already stated that the matter arose through an oversight; and I do not think, therefore, that any former precedent will apply.

MR. E. JENKINS asked Mr. Chancellor of the Exchequer, Whether the Crown or the Government has, by custom or law, any power or control over the granting of sites for monuments in Westminster Abbey; and, whether, in view of the relations of the late Prince Imperial to the Government of France, with which Her Majesty is in friendly alliance, they will take steps to prevent the granting of a site for the erection of a monument to the Prince Imperial in Westminster Abbey?

MR. CALLAN asked Mr. Chancellor of the Exchequer, Whether there is any precedent for Government interfering in, or any authority vested in them, to exercise any power or control over the granting of sites for monuments in Westminster Abbey; and, whether, in view of the circumstances surrounding the melancholy fate of the late Prince Imperial, Her Majesty's Government will not deem it undesirable to aid in any way in interposing obstacles in the way of the erection of a monument in Westminster Abbey to one who met his death while gallantly serving as a volunteer with the British Forces operating in South Africa?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the right and responsibility of granting sites for monuments in Westminster Abbey rest entirely with the Dean of Westminster. The Government have seen the announcement of what is intended in the case referred to; but they have not thought fit to give any advice on the matter, thinking that no political significance attaches to the matter.

THE LATE PRINCE IMPERIAL—THE COURT MARTIAL ON LIEUTENANT CAREY.—QUESTION.

SIR ROBERT PEEL asked the Secretary of State for War, Whether there is any foundation for the statements which have appeared in French and other newspapers, to the effect that Colonel Harrison, Assistant Quartermaster General, was a member of the court martial on Lieutenant Carey, and is the same Colonel Harrison who directly sanctioned and personally superintended the reconnoitring party placed, as stated by Lord Chelmsford in his telegram, read in the House of Commons by the Secretary of State for War on Friday morning the 20th June, under the command of the late lamented Prince Louis Napoleon, and on which occasion he lost his life?

COLONEL STANLEY: Sir, it is not the case that Colonel Harrison was a member of the court martial on Lieutenant Carey. The foundation for the statement probably arose from the fact that, as I am informed, Colonel Harness, R.A., was a member of it, and the error made in confusing the two names was probably a misprint.

RAILWAY BRAKES.—QUESTION.

MR. MACDONALD asked the President of the Board of Trade, If, in consenting to lay upon the Table of the House on the 21st inst. a copy of a report dated the 24th April 1879, made by F. E. Harrison, Engineer to the North Eastern Railway Company, on the use of the Westinghouse Brake, it is to be inferred that the Board of Trade gives a preference to that brake; and, whether he will cause to be stated, as a preface to the papers, that the report was not drawn up at the instance of the Board of Trade, nor are its conclusions adopted by the Board of Trade?

VISCOUNT SANDON: Sir, I should have thought it would have been understood, from what I have said in the House formerly on the subject, that I give no opinion whatever on behalf of the Board of Trade respecting the merits of a particular brake; nor, in the present state of the case, could I consent that any preference should be shown by the Board to any particular invention. But as the brake controversy excites great interest in Parliament, I think it right to lay upon the Table of this House any Papers of interest which are sent to the Board of Trade concerning the various brakes which hon. Members may wish to have made public in this way. The form of the Return, which I had not observed, might possibly mislead the public as to the nature of the Report; and I will certainly take care that in the Report, as it is presented to the House, no doubt whatever shall exist as to its character.

COMMISSION ON AGRICULTURAL DISTRESS—NAMES OF COMMISSIONERS.

QUESTION.

MR. NEWDEGATE asked Mr. Chancellor of the Exchequer, Whether it is the intention of Her Majesty's Ministers to inform this House, before the close of the Session, of the names of the persons whom Her Majesty will appoint as Commissioners, in accordance with the Address voted by this House on the 5th of this month, recommending that inquiry be made as to the depressed condition of the agricultural interest, and into the causes to which this depression is attributable; whether the causes are of a temporary or of a permanent character, and how far they have been created by, and can be remedied by, legislation?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the names of the Commissioners on the Depressed Condition of Agriculture have not yet been settled; but the Government will endeavour to communicate them to the House before the close of the Session.

NAVIGATION OF THE THAMES—REPORT OF COMMISSIONERS.

QUESTION.

MR. GOURLEY asked the President of the Board of Trade, What measures he intends adopting for the purpose of giving effect to the alterations recommended by the Departmental Committee of the Board of Trade relative to the better navigation of the River Thames, as shown to be necessary in the collision which took place between the "Bywell Castle" and "Princess Alice?"

VISCOUNT SANDON: Sir, the hon. Member is, I think, aware that the Report of the Committee upon the Navigation of the River Thames has only been presented to me within the last few weeks. He is also aware of the importance and value of the Report and of the evidence, and of the bulky character of the documents in question. They will require, and will receive, the most careful consideration of the Government, in concert with the River authorities. Legislation, I need hardly say, is at present out of the question; but it is clear, from the proceedings of the Committee, that the River authorities are fully aware of the responsibility which rests upon them in this matter.

GREENWICH AND THE MERCANTILE MARINE HOSPITAL.—QUESTION.

MR. GOURLEY asked the First Lord of the Admiralty, If it be correct that the compulsory contributions of the seamen of the mercantile marine towards the Greenwich Hospital pension fund amounted at the close of the year 1834 to about £2,000,000; if he will be good enough to state how much of the said amount has been paid back in pensions or grants to the contributories, and also to their widows and children; and, if he is aware that seamen now in receipt of the Greenwich sixpence pension are debarred from receiving the pension legally due from the muster roll fund; and, if so, if he will adopt such measures as he may deem necessary, in conjunction with the President of the Board of Trade, in order that aged seamen so entitled may be paid both pensions?

MR. W. H. SMITH: Sir, the amount derived from the 6*d*. a-month paid by merchant seamen in aid of the income of Greenwich Hospital, under the Registered Seamen's Act of 1695, averaged £23,000 a-year in 1834, when the Act was repealed, and £20,000 a-year was granted to Greenwich Hospital in lieu out of the Consolidated Fund. It is not possible to state the aggregate amount received from 1695 to 1834. There was no Greenwich Hospital pension fund, and I think it right to add that the sixpences contributed by the merchant seamen in no way gave any right to pension or benefits of Greenwich Hospital. The contribution was exacted because of the protection to commerce afforded by the Navy, and no merchant seaman was entitled to admission to the Hospital unless "wounded in action with an enemy or pirate." The hon. Gentleman, no doubt, has seen a letter from Lord Auckland to Sir James Graham on this subject, which was presented to Parliament in 1867 (Parliamentary Return, No. 350 of Session 1867), in which it is stated that of the 2,710 men then (1834) in the hospital, upwards of 1,000 had served in the merchant service for an average time of 13 years, and there were 117 children in the school whose fathers had never served in the Navy. By the Greenwich Hospital Act of 1872, 35 & 36 *Vict*., c. 67, pensions or annuities are granted out of Greenwich Hospital Funds to men who contributed 6*d*. a-month. Under the regulations contained in Order in Council of the 6th of July, 1870, £16,944 has been paid in pensions, and £123,400 in purchase of annuities. The pensions are limited to £3 8*s*. per annum. No pensions or allowances are authorized to be paid to widows or children of the contributories. Sons of merchant seamen are eligible for admission to Greenwich Hospital School. By the "muster roll fund," the hon. Member means the Merchant Seamen's Fund, in aid of which an annual Vote is taken in the Civil Service Estimates, and is accounted for by the Board of Trade. If seamen are in receipt of a pension of £3 8*s*. from the Merchant Seamen's Fund, they are not entitled to any additional pension from the Funds of Greenwich Hospital (by Clause 4 of Order in Council of July 6, 1870, and Section 2 of Greenwich Hospital Act, 1872). If the hon. Member's proposal be entertained—namely, that both pensions be paid, an Act of Parliament and Order in Council would be necessary and an additional charge would fall upon Greenwich Hospital Funds.

PARLIAMENT — ARRANGEMENT OF PUBLIC BUSINESS.—QUESTIONS.

MR. HEYGATE asked, What the Government intended to do with the Banking and Joint Stock Companies Bill?

MR. MUNDELLA asked whether the Government would not make the Bill apply to the whole Kingdom?

THE CHANCELLOR OF THE EXCHEQUER said, he was aware it was desired by many persons that a measure for enabling unlimited banks to limit their responsibility should be passed this Session. He should be prepared to proceed with the measure which the Government had introduced to make that alteration; but he proposed to strike out Clause 8, which referred to a different matter which, though not an important one, was not connected with the subject. He proposed to retain in the Bill those parts of which it made it applicable to the whole of the United Kingdom.

MR. ANDERSON said, that in consequence of this statement he would not further oppose the Bill; and he thought he could say the same for a number, though not for all, the Scotch Members. He desired, however, to know after what hour it would not be proceeded with?

THE CHANCELLOR OF THE EXCHEQUER: It cannot be taken after half-past 12.

In reply to Mr. W. E. FORSTER and Mr. BERESFORD HOPE,

THE CHANCELLOR OF THE EXCHEQUER said, it was proposed to take as first Order to-morrow the Consolidated Fund Bill, which would be followed by the two Indian Loan Bills. On Monday, the Government proposed to take the Irish Estimates, with which they hoped to make some progress. The disposition of the rest of the Orders would depend to some extent on the progress made on Monday. His right hon. Friend the First Lord of the Admiralty was anxious to bring on the remainder of the Navy Estimates, and he should be glad if they were able to fix Thursday for that purpose.

In reply to Sir ALEXANDER GORDON,

SIR HENRY SELWIN-IBBETSON said, that as the Poor Law (Scotland, No. 2) Bill was not opposed, the Lord Advocate proposed to proceed with it to-night, if it came on at anything like a reasonable hour.

TREATY OF BERLIN—THE RUSSIANS IN EASTERN ROUMELIA.—QUESTION.

MR. YORKE asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government have received any further intelligence as to the Mussulmans in Eastern Roumelia sentenced by General Ptolypine to exile in Siberia; and, if not, whether Her Majesty's Government will make inquiries on the subject?

MR. BOURKE: Sir, as I stated before, these prisoners were tried before General Ptolypine, and sentenced to be exiled to Siberia. The charge against them was of having committed acts of brigandage. The matter was referred to Aleko Pasha, and referred by him to the Porte. Therefore, at the present moment, I do not think Her Majesty's Government would be called upon to interfere in the matter.

ORDERS OF THE DAY.

UNIVERSITY EDUCATION (IRELAND) (No. 2) BILL [*Lords*].—[BILL 250.]

(*Mr. James Lowther.*)

SECOND READING.

Order for Second Reading read.

MR. J. LOWTHER: Sir, in rising to move the second reading of this Bill, I should hardly be justified in referring to the question of University Education in Ireland at any length from an historical point of view. One reason why I should not feel disposed to adopt that course would be that this matter has been so constantly and recently a topic of consideration in the public mind that enough is known about it by all hon. Gentlemen without my going into it. There is another reason why, upon the occasion of the second reading of the Bill, the retrospect to which I have referred would not be a very inspiriting one. The study of the list of casualties in previous engagements is hardly an encouraging theme for anyone who is girding on his armour for the fight; and, therefore, I would rather leave the historical retrospect of Irish University Education to other hands. I have myself thought that the moral we should draw from what has taken place on this subject is this—that if ever this question is to be finally disposed of and satisfactorily settled it must be by the abandonment of all Party controversies, and by a resolute determination to deal with the subject honestly and apart from any attempt to snatch a Party triumph. The Bill which is now before the House, whatever may be thought of its merits or demerits, is, at any rate, an honest and sincere attempt to deal with this difficult subject in a sense to remove it entirely from the realms of Party strife. It is not necessary for me to point out the necessity of some measure dealing with this subject. That necessity has been admitted on all hands. I am quite aware that Parliament, many years ago, endeavoured to lay down a system of University Education in Ireland which, it was hoped, would finally settle the question. I am aware that hon. Gentlemen on both sides of the House will admit that that attempt has been in some measure a decided success. The Queen's Colleges have, from an educational point of view, done very good work. They have placed the advantages of University Education within the easy reach of the Irish people. The benefits those institutions have conferred have not been confined to one religious persuasion. All the various creeds of Ireland have freely partaken of its benefits. [“No, no!”] Hon. Gentlemen may say “No, no!” but I think the study of statistics, which are within the reach of any hon. Gentleman, will show that the Queen's Colleges and University have been attended by numbers of students of all the religious creeds of Ireland. It is true that in the case of the Roman Catholic body there has not been the cordial appreciation of the institutions which was hoped by those who founded them, and that being so, the necessity is found to exist of endeavouring in some way to make good the defect which experience has proved to exist. That, Sir, is the reason why the Bill is introduced. I have said that this Bill is not introduced with the object of promoting the interest of any Party; in fact, University Education is a subject which is approached, I think, by the various political Parties without any settled purpose in the mind of any Party, and I think no Party is united upon it. The staunchest Tory, or the most enlightened, if I may say so without offence — the most philosophical Radical, may approach this subject from different points of view, and, perhaps, in some cases arrive at the same conclusion. This is not a case for destroying bridges and burning boats, and expressing any great and herioc determination. It is rather an opportunity for inviting the House of Commons calmly to consider this question in a judicial spirit, and to endeavour to arrive at a settlement without consideration of the Party by whom it may be introduced. The proposals of the Bill are to establish a new University, to which shall be given the power to provide examiners and to grant degrees. We do not propose that there shall be a third University, for the proposal before the House is that the Queen's University shall in a manner provided for in the Bill cease to exist, and that the graduates of that University shall form members of the Convocation of the new University. I think there are many reasons why a third University in Ireland would be objectionable. Those who are now graduates of the Queen's University can be transferred to the new University without interfering with the advantages of the degrees they have already obtained. The Convocation of the new University would occupy a position as high in public estimation as the body which exist at present. The Bill does not propose any arrangement of a financial character. I notice on the Paper an Amendment in the name of the hon. Member for Cork (Mr. Shaw) which directly challenges the opinion of the House on the subject of Collegiate Education. The advantages of Collegiate Education do not require to be dwelt upon. I had the privilege of being a member of one of the old Universities, and I confess I have always thought—apart from the social aspect of the question—that the intercourse of one with another in the University is an advantage certainly not second to the education there obtained, and the advantage of the association of students in the Colleges is, I think, very great. But in the case of the more recently founded institutions, it is not the practice to insist on residence in the manner it was in the old Universities; and, in fact, it has always been the object of University reformers to place the privileges of obtaining degrees and taking part in the various examinations and classes incident to a University career within the reach of those to whom residence in College may not be convenient. That has been the principle upon which Parliament has proceeded in its grant to the London University, and is the principle upon which University reform has invariably proceeded; though, at the same time, it seems to me that there is much to be said for facilities being afforded to those who may prefer what I think is a great advantage in training. We propose in this Bill to transfer the grant that is now annually made to the existing Queen's University to the new University. It is a matter of some £5,000 a-year. The Queen's Colleges would retain the existing grants, as part of the Parliamentary Votes, and, of course, the existing endowments. But it is said that in the Bill for the promotion of Intermediate Education passed last year the principle was adopted of payment of what are called result fees to institutions which educated successful pupils, and that that principle might be made available in the case of University Education. Now, I think it will be manifest to the House that in the case of students of an age below that of a man the payment of prizes in any great proportion to them would be undesirable; but in the case of students of more advanced years the objection vanishes, and I think the House will agree with me that the form the prize should assume to the successful student would be that of payment to himself. With regard to the financial proposals—the absence of which from the Bill I have just remarked upon—I must confess that the form in which it is proposed in a Bill recently before the House to deal with the financial problem is one that is open to many objections. The sources especially from which the hon. Member for Roscommon (the O'Conor Don) sought to obtain the desired finance was one which, on the whole, it appeared undesirable should be trenched upon for the object of his Bill; and, therefore, not being prepared to propose any demand on the Irish Church Surplus, or the appropriation of any capital sum whatever, for the purposes of promoting University Education, no reference is made in the Bill to finance with the exception of the transfer of the University Vote to the new University. At the same time, I think that there is good reason in what has been urged with regard to the absence of any encouragements to conducting education in places other than Queen's Colleges. I think as long as Parliament continues annually to appropriate a considerable sum for the promotion of education within the Queen's Colleges, those who are invited to come within the University pale, but not to place themselves within the walls of the Queen's Colleges, must naturally complain that they are placed at a disadvantage; but in attempting to remove that disadvantage the Government must adhere to their determination that any endowment whatever to any denominational institution, from whatever source it comes, is one to which we will not assent. The endowment of any strictly denominational institution is one which I think Parliament will not be likely to sanction, and it is one which Her Majesty's Government would be very unlikely to propose. The appropriation, therefore, of any sum of money, whether derived from the taxation of the country or from any other source, to the endowment of any Collegiate institution of any sort or kind was a thing which we could not propose. At the same time, it seems to me that the absence of any financial proposals in the Bill need not by any means preclude us from dealing in some other manner with the difficulties involved in finance. I think I am right in assuming that the annual Votes of Parliament are the proper places in which provision can be made for the grants to which I have referred. I certainly shall have no objection, subsequently, to the introduction into the Bill of words which will enable such a proposal to be embodied hereafter. I shall, in fact, be prepared to submit in Committee words which shall throw on the Senate of the University to be created the duty of framing and submitting a scheme for the promotion of education in the following way:—I should propose that provision should be made at the instance of the Senate by Parliament by annual Votes for the establishment of Exhibitions, prizes, Scholarships, and Fellowships. In adopting that course, the Government is strictly complying with the terms and conditions which they have laid down in regard to the subject in "another place," and also upon a recent occasion when discussion took place in this House. On the second reading of the Bill of the hon. Member for Roscommon, it was stated by the Chancellor of the Exchequer that we entertained special objections to that portion of his scheme which would involve the payment to a new University, and to the allocation of a portion of the Surplus Funds of the Irish Church. On that point we do not recede. And in the scheme now before the House we have endeavoured to avoid that. With regard to the name, we do not propose to select any name for the new institution. The House will see that is a matter better dealt with by other hands than those of Parliament. I have heard it suggested that there would be some difficulty; but I do not share those fears. It is quite possible that at the first mention of the idea the members of the Queen's University might not wish to lose the name they had hitherto borne, and that various opinions might be entertained as to the best one to substitute for it. It is an old saying, "What's in a name?" but I cannot think that such a detail will prove an insuperable barrier to the settlement of a great question. The fact that a new University is to be established, and that plans of a financial character are to be the subject of a subsequent consideration, suggests the propriety of leaving as many details as can be conveniently left for the deliberation of those who may bring their minds to bear on the subject. [*A laugh.*] Hon. Members may be amused; but I must remind them that this Bill does not propose to found a new University, but proposes to give powers under which a University may be constituted. The question of granting a Charter to a University is a Prerogative of the Crown and is entirely outside the function of Parliament; and I think that if the Government proposed to forestall the action of the Crown in the exercise of its Prerogative, it would be doing an action which would be unconstitutional. Now, Sir, I said that the financial arrangements would, I thought, be made by Parliament for the objects I have named. Of course, there may be other objects which may partake of the nature of detail, such as the erection of suitable buildings, &c.; because a University must have a local habitation as well as a name, and the erection of buildings for the holding of examinations, and probably a library, would be necessary. The funds necessary for such a purpose would come naturally within the scope of a Parliamentary Vote; and if the House goes into Committee, as I hope it will very soon, I shall be prepared to move words which shall enable provisions to be made in that direction. In connection with this subject there has been a good deal of unnecessary mystery thrown around—I do not say the history—but the contemporary history of this subject. It has been said that negotiations have been carried on by Her Majesty's Government with I know not whom in Ireland. It has been hinted that a proposal for the settlement of this question had been submitted by the Irish Executive to persons in Ireland. I took the opportunity, the other day, of saying that these ingenious surmises are absolutely destitute of foundation. I cannot, of course, within the limits of the Orders of this House, refer to what took place "elsewhere;" but I may, without infringing upon the Rules, say that nothing has been said in this or the other House upon this subject which really in any way detracts from the absolute accuracy of my statement. I have heard it stated that observations were made somewhere or other to the effect that propositions had been submitted, and negotiations had taken place, and so on; and it appears this was denied by one of my Colleagues, who said that if any such negotiations or arrangements had been conducted he, undoubtedly, would have been informed of them. Well, that is perfectly true; and the truth is more apparent when I say that the Members of Her Majesty's Government were not only not aware that any negotiations had taken place, but were positively aware that they had not. When members of the Irish Executive find themselves in communication in private circles with members of various religious communions in Ireland, it is, of course, only natural that they should avail themselves of the opportunity to converse upon subjects of public interest. Since I have been officially connected with Ireland, I have had many such conversations, and I hope to have many more. It has been observed—sometimes in not very flattering terms, though, at the same time, with perfect truth—that persons having no direct connection with Ireland are sent there to govern the country, and, of course, a person going there, as I have myself, could not undertake to be aware of all the various questions requiring to be dealt with, and must take opportunities of becoming acquainted with local opinion; and I say, without any attempt at concealment, that I frequently have availed myself of opportunities of learning what the different classes of opinion are; and that, so long as I continue to have the honour of holding the Office of Chief Secretary, I have every intention of adopting a similar course. That is the sum total of all those wonderful negotiations and propositions; and if what I describe has given rise to the rumours, I can only say that many similar opportunities will arise. I shall not longer detain the House by dwelling on this subject. I thank the House for the attention it has given me, and beg to express the hope that the hon. Gentleman who proposes to move an Amendment to the Bill will consider the propositions which I have made, and will not consider this as a fitting opportunity to oppose the principle of the measure. The right hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. J. Lowther.*)

MR. SHAW, who had on the Paper the following Amendment to the Bill:—

> "That no measure of University Education can be considered satisfactory to the people of Ireland which does not provide increased facilities for Collegiate Education as well as for the attainment of University Degrees,"

said: Sir, I acknowledge the fairness of the statement made by the right hon. Gentleman, who, I think, has delivered it in a somewhat less oracular fashion than usual. With regard to the negotiations to which he has referred, I am not disposed to make too much of them. I think it would be a pity if any outcry on the subject should prevent free intercourse between gentlemen who govern Ireland and the leaders of public opinion in that country. I have only to express the hope that when the right hon. Gentleman returns to that country he will continue to carry on those pleasant negotiations of which mention has been made, and I hope that it will result in making him considerably more of an Irishman than he is at present. I ought, in respect to this Bill, to say that I differ from my hon. Friends around me, who think that this Bill is a sham and has been introduced merely for electioneering purposes. I must say I do not think it is anything of the kind, and I must begin by giving the Government credit for an honest attempt to deal with the subject. You may call it a simple attempt if you like; but, at all events, I think the Government wish to settle it, and the speech of the right hon. Gentleman has confirmed that impression. There were reasons why the Government should prefer not to touch the question until after a General Election, and probably they would not have touched it had it not been that they were almost forced to it by the Bill of my hon. Friend the Member for Roscommon. Now, I concur entirely with the remark that this question should be treated and looked at as much as possible apart from Party considerations. Party treatment is what we complain of in Ireland. We are not come here to war against this country. Our action has an intelligible basis. We do not object to your Conservatism and your Conservative Party being in power. We know well that there is a very strong sympathy between many principles of Conservatism and our principles. What we do object to is that the Conservative Party, and those who are in the Government of Ireland, should be ruled in their treatment of Irish questions by the narrowest and most ignorant section of their Party. We take no objection to the Liberal Party. Historical and other reasons make us remember the period when the Liberal Party were in power with pleasure; but what we object to is that the Liberal Party, in their treatment of Ireland, should allow themselves to be ruled by the narrowest and most bigoted section of the Party. That section of the Party which, having the phrase of Liberalism in their mouth, trample on its spirit. Our action in this case is based upon that intelligible principle enunciated in *The Quarterly Review*, which I am sure every Member of the House must have read —"Treat us, not by repression, not by force, but by justice;" and that is all we demand. Now, in looking at this Bill, perhaps I may be allowed to refer to the difficulties which stand in the way of the subject. They are very great difficulties indeed. There is no doubt that it is not an easy subject to settle. One great difficulty arises from this—that there is in this country and in this House a constant notion that we should legislate upon some defined and abstract principle. I met a gentleman to-day who is a distinguished ornament of the Party opposite, and he said to me—"Sir, the genius of legislation for the last three-quarters of a century is against your proposal." Well, said I, that would be a very fine sentence, no doubt, on a platform where you are bound to adapt your nonsense to the nonsense of the people you are addressing. But my opinion is very far from that sentiment. We are not a company of scientific legislators, but we are an Assembly of men of business who know the world, and we come here from our constituencies, and we endeavour to adapt our legislation to the wants of our constituencies. It must be, from the very nature of the case, a system of give and take legislation in such a country as ours; and if any one of us construct our legislative machine, and want it to do the work of the world, we will soon find it knocking itself against obstructions. Now, this has been the difficulty to Ireland with this subject. As regards Ireland, the philosophical Radicals who exist somewhere—I do not know what to call them; I do not know whether there are really any philosophical Tories—whenever those subjects connected with Ireland and with religion in Ireland come up, think they have some great principle upon which to legislate. There is nothing more absurd than that. We must look at the difficulties, the requirements, the prejudices of the country for which we are asked to legislate. Well, there is another great difficulty in the way, and that is the dislike that exists in this country, and in Scotland, to the religion of three-fourths of the people of Ireland. There is no doubt of its existence, though it is not expressed. Some of my Friends on this side of the House would not for a moment like to say they were affected by anything but the highest principles of Liberalism in dealing with Ireland; but if we could get at the bottom of their minds we would find that beneath all that profession of Liberalism, there exists the opinion that this is the machinery they are setting up to destroy the religion of the Irish people. There is the notion that mixed education is, for this purpose, the best thing to be adopted. I want to speak to the Protestants in this House quite independent of the Catholics, and to show them that this attempt at repression, this endeavour to drive the people of Ireland out of their religion, is one of the most unjust and absurd that was ever inflicted by one people upon another. It would be more honest to repeal all the beneficial legislation of the past, and to re-enact the Penal Laws, if this atmosphere of suspicion and doubt be maintained in Ireland. There is another feeling, Sir, in the minds of many Members of this House, and that is, that the Irish Members are not the masters of the situation; that they are moved by a body behind who pull the strings, and who give them orders. In fact, I myself saw in a paper the other day that my Resolution had gone over to Dublin to be submitted to the opinion of certain ecclesiastics. I acknowledge that I did consult certain hon. Members about this Resolution. I showed it to about a dozen of them, and every one of the dozen had a different Resolution; and so, in desperation, and to save myself from doing something rash, I came into the House, and threw it on the Table to the Clerk; but as to showing it to any ecclesiastics, with a view to obtaining their opinion on it, I never had such an idea in my mind. I can say for myself that I was returned by a constituency, and had the confidence of every Roman Catholic in the place; and for two years they had a full belief I was opposed to them on this question. I was never asked a question about it, although it was of as much interest then as now. I have the honour of knowing—and not only that honour, but the friendship, of some of the highest dignitaries of the Roman Catholic Church, and I have consulted with them on this subject; but, instead of their giving me orders, I was always surprised to find that they wished to ascertain my opinions and advice, and I never anywhere found a more sincere desire than among those gentlemen to settle this question on the foundation of reason and common sense. Now, the Government acknowledge that there is about the granting of degrees an inconvenience. They acknowledge that about the endowment question there is very great injustice. This Bill provides for the inconvenience, but it leaves the injustice where we found it. However, I acknowledge that the proposals of the right hon. Gentleman, to be embodied in Amendments, would go to some extent, but to my mind, a very small extent, to meet the injustice. I would beg the Government to re-consider their decision, and go a little further. If they do, they may really be the means of settling this great and difficult question. They may say that the fund out of which this question may be settled cannot be taken out of the Irish Church Surplus Funds; but I cannot see the reason of this at all. This very week they have laid on the Table of the House a proposal to apply £1,300,000 to the education of the lower classes. Last year they took £1,000,000 for the education of the intermediate classes; but this year they cannot see the reason or sense of taking £1,000,000 or £1,500,000 out of that fund, and laying the foundation of a good and healthy system of University Education. The noble and learned Earl who introduced the Bill in "another place" (Earl Cairns) evidently thought that there was some great difference between the principles of Intermediate Education and University Education. It would not have been probable that he would have made an elaborate joke; besides, he was not born at the right end of the Island for joking; but this looks very like one. There can be no possible difference in principle. We have now come to a crisis at which, I think, this question may be fairly settled. We have on our side reason and moderation, and we are not going in for any great or heroic measures. I believe this is the time for a complete measure; but if you say you will bring in this bit of a Bill this year, and that you complete it next year, then I say that that is absurd and unreasonable. You may not be there next year; we may not be here next year; and if you do introduce another Bill next year, perhaps it may not at all fit with the Bill you pass this year. And so it will go on, year after year, a mockery, a delusion, and a snare. I believe that if Sir Robert Peel's original proposition with regard to the Queen's Colleges could be carried out, it would go far towards settling this question. If the Colleges of Cork and Galway were under the control of Catholics, were for the benefit of Catholics, and met the desires and wants of the Catholics, the question would be very nearly settled; but they have got into such a state now that it would be quite impossible to go back to the original intention without creating an immense amount of confusion, and hence the proposal we have made; and we have not the slightest hesitation or difficulty in placing side by side with the proposals of the Chief Secretary the Bill of the hon. Member for Roscommon. So far as I am concerned, I would not hesitate for a moment about allowing a Roman Catholic College in Dublin, or in Cork, or in Galway, giving the money for secular education, and guarding, at the same time, against the money being applied for religious purposes. You have left this question unsettled for three generations. Just think what the effect has been upon the Irish Roman Catholics! They are a class of the community from whom you have cut off the advantages of higher education. You could hardly conceive the evil influence it has had upon the higher and middle classes to feel that they are shut off from University Education. The deterioration that must result from this increases more rapidly than by geometric progression. You have throughout Ireland a large class constantly moving higher and higher in the social scale. You have old landed families, you have a large class of business men whose sons would naturally go for University Education; but they find themselves driven to private seminaries, or they have to send to England or the Continent for that education which they have no prospect of getting in Ireland without their first step being at variance with all they hold sacred. I know that sons of gentry and of business men have not a chance of aspiring to high positions, because, as Catholics, they have not access to their University degree. This must cramp and isolate them. Do you think you will by this means destroy their religion? Why, if there is anything bad, anything narrow, anything antiquated in their religion, you go the way to perpetuate it, for you refuse to lift them from the prejudices that surround them. You shut them out from knowledge and science. Now, the suggestions of the Chief Secretary go, to a certain extent, in the direction we wish. They propose to give us Exhibition Scholarships and Fellowships, which, I presume, will be under the direction of the Senate. Well, what is to prevent them from going a little further? Even then, the Catholic youth of Ireland will be heavily weighted in the race for knowledge in Ireland. You have the Queen's Colleges well endowed—I will not say richly endowed, but well endowed by the State. I do not wish to say anything against them. They are doing very good work; but it is not the work which is so much wanted. Then, you have Trinity richly endowed for another section of the community. But Her Majesty's Government say to the Catholics—"Your youth may go in and get prizes, but you must do all that is required for secular and scientific teaching at your own expense; we will not reach out a hand to help you, though we give money to the Queen's Colleges and to Trinity College without stint." Why is this? Such a state of things is bad every way. Consider how bad it is for the individual, how bad for the country, how it will ever widen instead of unite the feelings of the people of Ireland from this country. We ask you to give us, in addition to what you propose to give, result fees; and in saying this we consider our request is a moderate one. Some years ago our demands went considerably beyond this. These result fees will not be for religious teaching, and will not supplement religious teaching, and will not and cannot do more than pay half the expenses of secular education in any College. Whether as a matter of principle or policy this is a moderate settlement we propose, and I do not see why it should not be granted. Hon. Gentlemen opposite may say—"Oh, why should we attempt to settle this question? Why not leave it to our successors? We have no objection to their getting into difficulties, for which they have a fatality; but we do not mind aiding them in that direction. Why not leave this vexed question to be settled by the noble Lord when he comes into power, with his lieutenants below the Gangway?" This would be a fair resolution to come to, if they regarded it only from the jocular point of view; but I do not think that right hon. Gentlemen opposite, once they have touched the question, will withdraw their hand until they have completed its settlement. It may not bring them many votes in Ireland; I cannot promise that, for this is only one of many questions which will have to be answered at the next General Election; but I do not doubt, if they meet us in this, they will excite feelings of gratitude in Ireland. Not that I lay much stress upon that, for there is no such thing as gratitude in politics. All we do is on the maxim—"Do the best you can in the present, and get as much as you can in the future." We are grateful for what we are going to get, and we assume that the past was done on principle, and not as fishing for compliments and gratitude. Legislation must stand on its own merits, and we cannot approve of things we object to because, in Sessions past, things were done which we liked. The Party opposite have done good things for Ireland. They have given us no "heroic measures," and the great difficulty about "heroic measures" is to keep them within the bounds of justice and right. They are so influenced by sentiment and vanity and all sorts of nonsense that they are very apt to run over the boundary of right. I would rather have measures of common sense policy, the result of thought and examination of all the circumstances dealt with. The Government deserve great credit for what they did last year in the Intermediate Education Act. I hope they may deserve well for what they do this year. I am not here to place difficulties in their way, but to co-operate with them in passing a good, useful measure. I know the difficulties they have to contend with from some enlightened Members of their own Party, and the difficulties from some superlatively enlightened Members on this side of the House. This question is ripe for settlement. It is a very remarkable thing that there is hardly an organ of public opinion in the country that is not in favour of such a settlement as I have suggested—*The Times*, and almost all the other daily papers of the Metropolis, the two weekly organs, *The Saturday Review* and *The Spectator*, and the great organ of Conservatism, *The Quarterly Review*. With such a concurrence of opinion outside, and such a concurrence of opinion in, the House—for during the discussion on the Bill of the hon. Member for Roscommon that has been shown—there is an opportunity of settling this question, if only the Government will put down their foot and say, "We are determined to carry it." You will not lose a vote if you do. Take the senior Member for Belfast (Mr. J. P. Corry). Do you think he would go into violent opposition if you carried it—or the hon. Member for Armagh, or the hon. Members from Lancashire, the source and centre of true Protestantism in England? I tell you they will do nothing of the kind; they will be obedient to your Whip. You would not lose support in the country. On the contrary, you would have a chance of gaining. I do not know but you would retain a seat or two which we should otherwise take from you. We have the highest respect for some of our Irish Conservative Members, and I shall be sorry to lose them as business men, and we should feel a kind of delicacy in turning them out after their support of a very little extended programme, such as I have suggested. Now, I hope the utterance of the Chief Secretary is only preliminary. When we had the Bill of my hon. Friend the Member for Roscommon before the House, we had a statement early in the night, and we had another statement later which differed considerably from the first. Now there will be nothing like the variance if, some three or four hours hence, the Chancellor of the Exchequer gets up and concedes our proposal as reasonable and sensible, and grants all we ask — perhaps a little more. I desire this debate should be conducted with good humour. I know there are Gentlemen around me who are men of genius. Now, I am always afraid of men of genius; and I hope, during the progress of the debate, there will be nothing said to excite the feelings or disturb the equanimity of the Bench opposite. They have been worried terribly this Session, and I think they ought to have one quiet night. I have ventured to trespass so much on the time of the House, sincerely trusting that the Bill will not be objected to on its merits, but that if we divide on the Resolution I have placed before the House the Bill will be allowed to pass the second reading, and in Committee we will endeavour on both sides, and with an anxious desire, to make this a good useful measure for Ireland. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "no measure of University Education can be considered satisfactory to the people of Ireland which does not provide increased facilities for Collegiate Education as well as for the attainment of University Degrees,"—(*Mr. Shaw,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. NEWDEGATE gave the hon. Member for Cork (Mr. Shaw) the greatest credit for the tone of his speech. It appeared that the Party of which he was the Leader were about to reap the reward of their exertions for the last three Sessions. They had prevented the House from proceeding with legislation which was deemed essential by the country. A section of the Irish Members had completely fettered the action of the Legislature; and now the hon Member, in the most good-humoured manner, came forward with his Amendment upon the University Bill which the Government had introduced because they felt they were unable to agree to the principle of the Bill already before the House. The hon. Member had enunciated a sort of maxim which he seemed to hope would be accepted by the House —"that they should do as well as they can for the present;" that was the hon. Member's advice to the House generally, and then he went on, "and get what they could for the future." This last was the hon. Member's injunction to his adherents. His Amendment was the embodiment of the Bill proposed by the hon. Member for Roscommon (the O'Conor Don), to which the majority of the House was known to be so positively opposed that there was no chance of its passing. Was it possible for a majority of the House, who had practically refused to assent to the Bill of the hon. Member for Roscommon, to accept this Amendment, which embodied the principle of that Bill? The position in which the House stood was this. It had been coerced for three Sessions by a small section of its Members, and they were now to comply with the requisition of the hon. Member for Cork, by discarding all principle in dealing with the question of higher education in Ireland as the consequence of the coercion to which they had been subjected. The hon. Member for Cork had put the matter most dexterously, and in a form which he hoped would be acceptable to the House; but it was clear, from his statement and Amendment, that although the Government had made an enormous concession he expected and desired that they should concede still further. The Chief Secretary for Ireland proposed to cancel the Royal title of the Queen's University, and leave it to the body to be created by this Bill to designate by what other name the new University should be known. Was there any loyalty in Ireland? If there was, he (Mr. Newdegate) did not think this concession would be agreeable to the loyalty of Ireland. The expunging of Her Majesty's name from all connection with Irish education would scarcely be regarded as a tribute to Irish loyalty. The Government had in this Bill made the widest concession in principle which the English and Scotch people would permit. He hoped it would not be attempted to carry concession further. If they did, he was conviced that the feeling of national dignity and loyalty would rise up against them, and that their whole scheme would be defeated. He had no wish to keep up a feud with Ireland. He had been long a Member of the House; but he had never seen unprincipled concession really conciliate Ireland, or produce peace in that country. The recommendations of the hon. Member for Cork were cloaked by the old cry of "justice to Ireland." He remembered that the Repeal movement adopted as one of its banners, "Justice to Ireland." He had known every unreasonable demand of the Ultramontane hierarchy of Ireland—the representatives of those dominant principles in regard to education which France and Belgium, both Roman Catholic countries, were resisting—he had known these dominant principles asserted under the plea that justice should be done to Ireland. He did not believe in "the justice" that was not founded in principle.

Colonel COLTHURST said, in spite of what the hon. Member for North Warwickshire had said about justice to Ireland, he (Colonel Colthurst) should use that argument. He considered that no settlement of this question could be satisfactory which was not only framed in the spirit of justice to Ireland, but in the spirit of reparation to the Irish people for injustice in the past in the matter of education. He contended that University Education ought to be looked upon, as the right hon. Member for the University of Edinburgh (Mr. Lyon Playfair) said on a former occasion, as being, not as it was in England, the luxury of the few, but as the food of the many. This was what it had been in Scotland for many years. In the early part of the last century, education was brought into harmony in Scotland with the religious convictions of the great majority of the Scotch people. Parish schools were introduced all over the country, and were brought into connection with the Universities; and he would here remind hon. Members from Scotland that for three of those four Universities the Scotch people were indebted to Catholics and to Catholic ecclesiastics, members of that Ultramontane hierarchy which the hon. Member for North Warwickshire (Mr. Newdegate) had denounced. The result of 120 or 130 years of such legislation for Scotland had been what might naturally have been expected. The people of Scotland were, perhaps, the best educated and the most intelligent in Europe. In Ireland the result aimed at was directly the reverse as far as the mass of the people were concerned. They were entirely shut out from education by the effect of the Acts for the prevention of the growth of Popery. It was made penal for a Catholic to teach a school, and it involved forfeiture of civil rights to send a son to be educated abroad. This state of things subsisted for 70 years, or two generations, and when it was modified, and in 1793 was finally abolished, and Trinity College was opened to the upper classes, what was the fate of the masses of the people—those to whom the right hon. Member for the University of Edinburgh said that University Education should be thrown open? System after system was devised, all equally repugnant to the consciences of the Catholic people of Ireland, and the education of the people was never encouraged till 1832. It was not to be wondered at that the Irish people were not as well educated as the people of Scotland, though they were naturally as intelligent and as clever. Directly opposite treatment had produced directly opposite results. But if they took the narrow view that it was not a grievance to the mass of people to be deprived of University Education—if they took the grievance as being confined to the upper classes—they were told that the class of Catholics in Ireland who might fairly look for University Education was very small, and that ample facilities were afforded by the Queen's and Trinity Colleges. Well, perhaps the Catholic gentry of Ireland was a small class; but why was that? It was the direct result of the legislation of England. If the laws against the growth of Popery pressed hard on the masses of the people, they pressed with tenfold rigour on the gentry. When these laws were brought in the Catholic gentry numbered one-third of those holding property. The laws were avowedly directed to their extirpation, or, as Burke said, for their degradation. Besides persecution, various inducements were held out to them to conform, and during the 70 years ending in 1777, when the laws were modified or repealed, 4,000 persons conformed. That was not surprising, for the people would have been martyrs to hold out against the persecution and annoyances to which they were subjected. The laws were designed wilfully and knowingly to prevent the acquisition or retention of property, land, position, or power by the Catholics of Ireland; and in 1777, when they were modified or repealed, the Catholic gentry had been reduced to a handful. Of that handful which remained steadfast there were worthy Representatives in that House, like the hon. Member for Roscommon (the O'Conor Don) and others. That was only 100 years ago, and when they considered what was the present number of Catholic gentry in Ireland, and the number of Catholic professional and commercial men who had attained a high position by their intelligence, and industry, and energy, he thought it was much to their credit. He held that the House and the country were bound in this matter of education to make reparation, and that no legislation would be satisfactory which did not approach the subject in that spirit. In saying this, he did not lay down the form which such legislation should take. Of course, it must in some way or other produce equality. The Bishops of Ireland, though they were called an Ultramontane hierarchy, had never asked for anything but equality in all the proposals which they had put before the Government of the day. Equality might be attained in various ways, and he left the selection of the method to the Government; but the Catholics of Ireland asked equality with their Protestant fellow-countrymen. He hoped, though appearances were not very favourable, that the Government would see their way to put the roof on the edifice of which the right hon. Gentleman the Member for Greenwich, to his everlasting credit, dug the foundation and raised the walls in 1869.

MR. COURTNEY sympathized with one observation of the Chief Secretary for Ireland, as to the desirability that this should not be treated as a Party question—a hope which he feared would be disappointed. They ought to have at heart the educational improvement of the Irish people; but he feared that would not be the motive of their action. Because the question was embarrassed by Party considerations it was likely to be exposed to peril. There was something very singular in the situation. The hon. Member for Cork (Mr. Shaw) had advised the putting aside of all principle except the great one of obtaining all he could. They were asked by Her Majesty's Government to assent to a Bill of an imperfect character, explained in an indefinite and uncertain way, which did not disclose the proposal of the Government; and that could only be regarded as trifling with a great subject. They did not approach it as an educational problem; if they did, was it conceivable that at the last moment the Bill would be amplified by suggestions of endowment, which were not explained, lest, being understood, they should alarm any section of Members? The hon. Member who moved the Amendment said nothing of a definite character; and a natural conclusion from his admirable speech would be that the Chief Secretary for Ireland and he were playing a comedy; that one had said his part, and the other had taken his cue; that, by-and-bye, they might or might not have a Division, and in the course of a few weeks this undeveloped Bill would attain to some form which would satisfy the hon. Member for Cork, and would not dissatisfy the supporters of the Government. It was not very respectful to the House that it should be asked to entertain a question of this kind in this way. It was bad enough that they should approach the question at the fag-end of the Session; but that it should be put before them in a shadowy form, wholly undefined, with suggestions of modification, was a thing not to be tolerated. On the ground of the imperfect and unascertained character of the Bill, they ought to be slow to assent to the second reading. The Chief Secretary for Ireland had assumed the necessity of doing something; but he had not pointed to any evil to be remedied. They ought not, because of an agitation, to take for granted the alleged defects of higher education in Ireland. He was slow to admit that the existing system had failed at all, or that there was a gap to be filled. A all events, they ought to realize accurately what the present organization was. The Queen's Colleges were branded as godless Colleges and irreligious institutions, which it was supposed Roman Catholics would not frequent; but he denied altogether the accuracy of the character given to them. Remarks had been made conveying the impression that the Colleges were buildings in which resident students received their education. The Chief Secretary for Ireland apparently thought they were of this character; but the truth was that each of these Colleges was a University in itself; its buildings embracing museums, libraries, and lecture-rooms; and a certain number of Professors delivered lectures on secular subjects to students of all creeds. To the extent that the lectures were of a secular character the Queen's Colleges might be said to be godless. But it was open to every religious communion in Ireland to build halls of residence, to appoint Deans of residence, and to found theological Professorships in connection with the Queen's Colleges, so that facilities for religious education of every kind were provided in connection with those Colleges if only the different religious Bodies chose to take advantage of them. The hon. Member for Cork admitted that if the present system had been managed with more discretion, it might have succeeded in satisfying the claims of the people of Ireland generally. But whose fault was it if it had not succeeded? There was no disguising the fact that it was because the Roman Catholic hierarchy had refused to co-operate in the system that Parliament was now asked to legislate. If the Roman Catholic Bishops had cared to make an appeal to the faithful for funds to build halls of residence and establish theological Professorships everything would have gone smoothly. No hon. Member who examined the constitution of the Queen's Colleges with reference to the facilities given for religious education could fail to see that there was nothing scandalous in the present system, and that it was the duty of Parliament to regard with great suspicion any demands such as those now made. But, after all, was it the fact that the present system of the Queen's Colleges had failed to satisfy the people of Ireland as distinct from the Roman Catholic hierarchy? Since the foundation of the Queen's Colleges, the number of Roman Catholic students attending them had gradually risen, though subject to fluctuations in consequence of the periodic fulminations of the Roman Catholic Bishops. People went on sending their sons in greater and greater numbers to the Colleges; but every now and then there came some pastoral, some declaration from this or that Bishop or body of Bishops, and the progress of the Colleges was for the time arrested, only to resume when the terrors of the Roman Catholic hierarchy had been forgotten. The proportion of Roman Catholic students attending the Colleges was about 25 or 30 per cent. No doubt, the proportion of Roman Catholics to Protestants in Ireland was much greater than that; but it should be borne in mind that only persons of a certain amount of means could afford to give their sons a University Education, and the number of such persons would not be found to be so very much in excess of 25 or 30 per cent. It had been estimated not to exceed 35 per cent altogether, and when allowance was made for the circumstance that all Roman Catholic theological students were educated elsewhere, while the Protestant theological students were not, it would be found that the number of Roman Catholic lads actually attending the Queen's Colleges was just about what it might reasonably be expected to be. If it were the case that a large mass of Roman Catholics were deterred from attending the Queen's Colleges who would be glad to attend a Roman Catholic University, why, he would ask, did they not concentrate themselves upon Galway or Cork, and, by their mere numbers, make the Colleges there as distinctly Roman Catholic in character as the College at Belfast was Protestant? What the Bill proposed was to create a University which would admit all students, however educated, to examinations for University degrees. As an educational matter, he ventured to say that that was an alteration of very doubtful expediency. The existence of the London University, which now examined students in Carlow and Dublin, did away with any necessity that might formerly have existed for such a Bill as the present. The change proposed was a dangerous one, because the new University would be a competitor with the London University for the same class of students, and it might be assumed that the University which admitted students with the greatest ease would be most patronized. There was, therefore, this danger—that the new University would make its examinations easy for the purpose of out-bidding the London University. Then, again, the Bill created a University open to all comers—but how would it do so? First, it created a

University, then it destroyed an existing University, and then it passed over the graduates of the existing University to the new University. What was the use of that roundabout way of doing a very simple thing? Why was it not proposed, instead, to give the Queen's University the power of examining students from without? Why not enable it, with its traditions, and standard, and machinery, and organization, to examine outsiders? The reason given in "another place" was this—that, in 1866, an attempt was made to enable the Queen's University to examine outsiders by means of a supplementary Charter, which was rejected by the Queen's University. It required the authority of a Lord Chancellor to make such a reason as that plausible. The change might not be possible by Charter; but why should it not be done by Act of Parliament? They could do what they liked with the University by an Act of Parliament, and they were going to destroy it by an Act. It was perfectly clear that there was something beyond and below this. There was only one reason he could suggest for it—namely, that when they got rid of the old University they would get rid of its Senate; and when they created a new University they could bring in a new Senate disposed to be very favourable to certain institutions. That was only another reason for looking at the Bill with extreme jealousy. If they were to make an alteration, why should it not be done in a straightforward way, by enlarging the powers of the existing University? It had admittedly done good work. Why destroy it? Why not supplement it? With respect to the admission of all new comers to examination, he would quote the opinion of a very distinguished man, recently returned to England, after receiving great honours, which all Englishmen, who had any regard for culture and genius, were glad to know he had received—he alluded to Cardinal Newman. If he had to choose, he said, between a University which dispensed with residence, and gave its degrees to those who, on examination, were found to be qualified, and one which had no Professors or Examiners at all, as was the case with Oxford 60 years ago, which kept its students for three or four years, and then sent them away—if he had to determine which of the two courses was the more successful in training, moulding, and enlarging the mind, which produced the better class of public men, he would not hesitate to give the preference to that University which did nothing in preference to that which taught its students every science under the sun. That opinion was worthy of consideration, when they were asked to drag down an existing University and substitute for it a mere Examining Body. The hon. Member for Cork, in his Amendment, stated that the Bill did not meet the demand for increased facilities for Collegiate Education in Ireland. It was true that the Bill gave no such facilities; but he was not quite sure, from the ambiguous language of the right hon. Gentleman, that those facilities would not be foisted into the Bill. And in what manner was it suggested that these facilities should be afforded? They were to be made dependent upon annual Votes. In other words, they were threatened with an agitation from year to year every time the Votes were brought on. Every friend of higher education must object to that. He held that Collegiate Education, in the best sense of the word, was provided by the system of the Queen's Colleges as they existed. The Roman Catholics, it was said, would not take it; but the facilities for obtaining Collegiate Education existed, and those who opposed the Amendment of the hon. Member for Cork were voting for true Collegiate Education against the sham Collegiate Education of which he was the advocate. What was really the point in dispute? It was a question not confined to this country, but was at issue in France, in Belgium, and in Italy. The question was, whether youths should be educated together or apart in distinct and separate institutions? Which of the two systems, he asked, deserved to be approved as a means of education? The Roman Catholic hierarchy had insisted, again and again, that they would be content with nothing that did not give them exclusive control over the education of their youths from first to last; that they should teach them not only morals and religion, but science; that they should not only teach but examine them, and have control not only of the education, but of the examinations also. He was for the free education of youths jointly and together, for youths by communion one with another learnt very quickly that life was greater than the particular forms of life in which they were brought up, that the world was vaster, and humanity wider, than anything taught in particular schools of theology. This knowledge obtained in Colleges was what prepared men for life. In the House of Commons there were men of all creeds, and they were the better for it. Why, then, should a College be restricted to one? He, and those who agreed with him, were fighting for the freer, wider, and better education, against those who, under the pretence of offering facilities for Collegiate Education, were endeavouring to obtain the opportunity of cramping youthful minds by the teaching of particular seminaries. In defence of the higher education to which he had referred, which had been established in Ireland for 30 years and more, which had flourished there in spite of opposition, he hoped the House would refuse to listen to proposals, however convenient, which were made for the promotion of Party purposes.

Sir WALTER B. BARTTELOT thought the hon. Member for Liskeard (Mr. Courtney) had shown very conclusively the great benefit which the Queen's University had been to Ireland. The hon. Member had quite refuted the argument of the hon. Member for Cork (Mr. Shaw), who said that it was the great wish and intention of the House to exclude the Roman Catholics from their fair share of education. The hon. Member had shown rightly that their object was that Catholics and Protestants should be brought up side by side, because to bring them up in this manner would have an influence upon their after life which they could never forget. In the statement of the hon. Member for Liskeard were contained the views of a large majority of the House. He knew that the Roman Catholics stated, and firmly believed, that they had a grievance with regard to higher Education; and it was in the endeavour to meet that grievance that the Bill of the Government had been brought in. He regretted that a Division was not taken on the Bill of the hon. Member for Roscommon. He held, in fact, that it was one of the greatest mistakes that had ever been made that the House was not allowed to show to Ireland in connection with that Bill what the real view of the country was in reference to the question of higher education in Ireland now before the House. Their great object was to give to the Irish people the best education which they could possibly give; but that could not be secured by subsidizing, as the hon. Member for Roscommon proposed should be done, those Roman Catholic seminaries which now existed in Ireland. This would perpetuate in the future all the evils which had disfigured Irish education in the past. In his opinion, the question could only be dealt with in a national sense, with regard to the wants of the country. He agreed that it would be a mistake absolutely to abolish the Queen's University. He certainly wished that the name might be retained. Surely the House had the power to extend the Charter of the University and increase its Senate. He hoped that later in the debate the right hon. Gentleman the Chancellor of the Exchequer would say that the Government did not intend to interfere with the present Senate of the University. He was most anxious to see this question settled; but it could only be done upon lines approved by the great majority of the House; and he hoped that the Chancellor of the Exchequer would clearly state that the Scholarships, Exhibitions, and Fellowships to be given for secular purposes in the University were to be provided for by money voted annually by Parliament. He felt certain that the country would not agree to the application of a lump sum of money out of the Disestablished Church Fund to the purpose which he had named.

Dr. WARD warned the Irish Members against listening to the proposals made to them by the Liberal Party. It was by the mouthpiece of philosophical Radicals that they heard it said—"You can have nothing but what I can give you;" and, therefore, he would say to his Friends from Ireland—"Be cautious of what you hear from the Liberal Party when it is said—'Pass this over, we will give you something better.'" They had listened to such advice before in the hope of getting something better than was offered them at the time, and the result had not been satisfactory. Lord Mayo made a proposition, the generosity of which towards Catholics had never been equalled; but the present Lord Emly, a Member of the Liberal Party, said—"Hold on; you will get more from us when we are in power." What was the fact? The Liberals got into power, and the Irish got nothing. The same thing, he believed, would happen again. He would, therefore, have them take warning from the past. The hon. Member for Liskeard (Mr. Courtney) got up and stated the grounds upon which the all-powerful tail of the Liberal Party would proceed, if in power, and they were — that Ireland must have secular education, and secular education alone. Nothing else would be given now if that was to be the line on which the Liberal Party was to be worked; and they knew it was, because they knew the Liberal Party could not get on without its tail—then he (Dr. Ward) said it was hopeless for the Catholics of Ireland to give up the half a loaf which the Government offered. [Mr. SULLIVAN: Oh!] It appeared his hon. and learned Friend the Member for Louth was willing to give it up; but what happened 13 years ago? Thirteen years ago, they threw up a good offer from the Conservatives in the hope of getting something better, and, as a consequence, three generations of young men in Ireland had been practically destitute of University Education. Who were the people, he asked, who were much interested in this question, perhaps, more than anyone else? It was not the House of Commons, nor the ecclesiastics, but it was the young men of Ireland, who were exceedingly interested in this matter of their education; and the hon. and learned Member for Louth would take upon himself a great responsibility if he shut the doors of University Education to the young men. ["Oh!"] It was shutting the doors, he repeated. The Government said they would open those doors and enable young men to enter them by grants of money. What did the hon. and learned Member for Louth expect from the hon. Member for Hackney (Mr. Fawcett) and the hon. Member for Liskeard (Mr. Courtney), and those Members who led the Party to which he was so proud to belong? What did the hon. and learned Member expect from that Party? [Mr. SULLIVAN: Nothing.] The hon. and learned Gentleman said nothing. But he did get something from the Party opposite. The Bill before the House was an honest attempt to settle the question. [Mr. SULLIVAN: Oh!] The hon. and learned Member said "Oh!" but he would repeat his assertion that the Bill was honest in its purpose and desire to settle the question. In the teeth of a very strong Party behind the Government, he said it was a thoroughly honest consideration, and nothing but faction and prejudice in the House had tried to prevent the endeavour succeeding. He could say more in that direction, and he spoke in the interests of the young men of Ireland in protesting against that spirit existing which he had indicated. They had heard a great deal said with regard to the terrors of the Roman Catholic hierarchy, and he had something to say about that matter. He had nothing to urge against the Queen's Colleges; he had received kindness from them; and although his father and three sons had had a connection with Queen's Colleges his Bishop said nothing against it. Yet the minds of some hon. Members of the House were filled with terrors respecting the Catholic hierarchy. He denied the existence of any such terror in Ireland. Of course, they wanted the Queen's Colleges, but they wanted more; and if they could not get more they sometimes availed themselves of what those Colleges offered. He believed the Bill might be made a very good measure, as it gave them what they did not now possess. The hon. Member for Liskeard, who was wiser than the people of Ireland, came down with an array of figures, and with his science, with the object of showing that there was no practical impediment in the way of any Catholic in Ireland who really desired education. In the county which he (Dr. Ward) represented, there were a number of Catholic gentry whose sons never availed themselves of the Queen's Colleges; but who were, practically, uneducated so far as University Education was concerned. Those were the very people they would get at by this Bill. The hon. Members for Liskeard and North Warwickshire were understood to be fighting the phantom of clericalism; but they were, in point of fact, fighting the battle of clericalism. The young men to whom he referred were shut out from University Education because their parents had objections against their entering the Queen's Colleges, and the consequence was they were sent into clerical seminaries. That was what the hon. Member for Liskeard and others were doing. They were actually promoting and upholding that state of things, for they advocated the system which, of all others, was most calculated to fix clericalism on the country. Did they tell him the people in Ireland were different to the people in other parts of the world? They knew well that the people would say—"Hands off," if they put the education into the hands of the clericals, and they overstepped their bounds. He did not deny that the Queen's Colleges were good institutions; but he did assert that the system in Ireland was not educating the large proportion of the people of the country. They wanted a loyal and understanding people in Ireland; but how were they to get that? Ireland must have that which it required, and in the name of this great Empire, and of all that was called liberty, he asked that it should be granted them. He deprecated the action of those who were but theoretic upholders of liberty, and who said if they did not educate their sons in a certain fashion they would not educate them at all. In a short time he thought they would have some of these gentlemen endeavouring to regulate their breakfasts. In his belief, the Liberal intolerance of the Liberals was the worst of tyranny; and if they were to be governed by the hon. Members for Hackney and Liskeard, backed by a few Gentlemen opposite, life would be absolutely unbearable. They ought to approach the question from the point of utility, and if they did that they would find that the Bill afforded a very fair opening. [Mr. SULLIVAN: No.] Again the hon. and learned Member for Louth said "no." Would he tell them what his Party would give? [Mr. SULLIVAN: The Home Rule Party is my Party.] Well, the Leader of that Party had distinctly endorsed the policy of Her Majesty's Government; and if the hon. and learned Gentleman would follow his Leader he would vote for the second reading of the Bill; because, if the hon. Member for Cork could not get what he wanted in its entirety, he had not refused what the Government offered him. No doubt, the hon. Gentleman would endeavour to secure the adoption of his Amendment; but if it should be rejected he must take the milder proposition. With regard to the provisions of the measure, he ventured to say that they enabled the sons of Roman Catholics to obtain a thorough education. At the same time, there were some which might well be considered for amendment, so that the scope of the proposal might be somewhat widened. Whatever was done, however, the House should be most careful not to hold the responsibility of rejecting the Bill. It was a grave thing that three generations of Irish young men should have gone down without receiving University Education, while they had been quarrelling in the House over mere words. He now appealed to the House to accept the Bill as a fair compromise, and allow the Government to do this year an act greater than it did last year for Ireland by giving the country extended University Education.

MR. KAVANAGH said, that although he believed in the abstract truth of the views which had been expressed by the hon. Member for Cork (Mr. Shaw), he could not support the Amendment of that Gentleman, because to pass that Amendment would be equivalent to rejecting the Bill. Moreover, he believed that he would not be representing correctly the interests of his Roman Catholic friends in Ireland, who were anxious to obtain increased facility for higher education, if he were to throw any difficulty in the way of the Bill, even in its present form. He was glad to observe that the right hon. Gentleman the Chief Secretary for Ireland had enlarged the scope of the Bill very much indeed. As the Bill was originally introduced—namely, in the House of Lords—he was inclined to find fault with it, not for what it did, but for what it did not do. He, however, thought it would meet a want which he heard very generally expressed in Ireland, and upon that account he made up his mind to support the second reading in the hope that in Committee Her Majesty's Government would see their way to put a little more flesh on the bone. The right hon. Gentleman, on introducing the measure, had unveiled the way by which he hoped it would be found acceptable to all parties in Ireland; and, therefore, he (Mr. Kavanagh) would be all the more sorry to support the Amendment of the hon. Member for Cork. Many remarks had been made by previous speakers about the Queen's Colleges, and work which they had done in Ireland. He did not disparage the Queen's University or Queen's Colleges; but he did not believe that they had fulfilled the intention of their founders. The Queen's University and Colleges were founded for the purpose of conveying to the Roman Catholics in Ireland equal advantages to those possessed by the other religious persuasions. Now, that he did not think they had succeeded in doing. The hon. Member for Liskeard (Mr. Courtney) quoted some figures which, he said, proved satisfactorily that the Queen's Colleges had accomplished their object. He (Mr. Kavanagh) had not got the figures with him; but the statistics he had seen certainly proved the very opposite. If he remembered correctly, the students in the Queen's University numbered 920 in the years 1878 and 1879, and out of that number he found that there were only 230 Roman Catholics. Now, if they compared the number of Roman Catholics to the proportion of the other religious denominations, they would find, even allowing that the Roman Catholics, as a rule, were of the poorer class, and, perhaps, did not desire so much University degrees as the members of other denominations — even allowing for that, he thought they would find that the discrepancy was a very marked one indeed. If the present Bill were passed, he believed that University Education would be placed within the reach of those people who at present were unable to afford it. He, however, was desirous of taking this opportunity of joining with the hon. Member for Cork in appealing to the right hon. Gentleman the Chief Secretary, and to Her Majesty's Government, and to the whole of the Party on this side of the House, to grant what he asked in his Amendment—namely, result fees. He believed result fees would be the most rational and most useful way of assisting education. It was perfectly well known that they could not advocate any scheme which bore the slightest tinge of endowment. The days of endowment had gone by; but, although that was so, he thought it was quite in accordance with the old principles and traditions of the Conservative Party to be generous as well as just. The policy of disendowment had never belonged to their traditions. On the contrary, if they looked back to history, from the time of Mr. Pitt, they would find many instances to show that concurrent endowment, and not disendowment, had been the policy of the Conservative Party; but that policy, he was sorry to say, had now passed. It was no use attempting to re-open that question, especially since the disestablishment and disendowment of the Irish Church. He did not want to re-open it; but he did ask hon. Members on his own side of the House—some of whom were strongly opposed to giving Roman Catholics anything—he did ask them to put aside their prejudices, and to be generous as well as just. Had the hon. Member for Cork been in his place, he would have suggested to him that the best course for him to pursue might be to withdraw his Amendment, and let them all see what Her Majesty's Government were prepared to do in Committee. Then, if all their efforts failed to obtain anything satisfactory, or if the statements which the right hon. Gentleman the Chief Secretary for Ireland had made proved to be empty promises, the Amendment would apply with quite as much force, and with a great deal more reason, on the third reading of the Bill. He believed that it would be a great pity indeed to reject the measure which, although it might not be exactly what the hon. Member for Cork and his Friends wanted, would afford the foundation to build upon, and to effect what he hoped might become a just and generous settlement of this great question.

MR. O'SHAUGHNESSY said, that it was because they believed that the estimate of the duties and functions of life given by theological teaching was the true estimate that the Catholic Church wanted a safe and guarded kind of education. His hon. Friend the Member for Cork (Mr. Shaw) pointed out the inequality which the Bill proposed. It was admitted on all hands that the measure, as it now stood, only gave the power of receiving degrees, but provided no adequate means whatever for giving to young men all the benefits of University Education; and his hon. Friend proposed that the principle of payment by results should be adopted to supplement the Bill, and to provide young Catholics in Ireland with University Education, and with all the benefits of Collegiate life. Now, that did not contain the objectionable feature of denominational education which was regarded with dislike by many hon. Members. What his hon. Friend claimed was Collegiate Education in secular matters, and not in religious matters. Supposing the State consented to give them payment by results for secular matters, the State, undoubtedly, would have the right to see that the money paid for results was devoted altogether for secular learning. Furthermore, the State would be intitled to establish machinery by which to insure that the fees were devoted to purely secular subjects, and that they were so applied to them as to produce the best possible good from an educational point of view. Let them see what the State would be fairly entitled to do, in order to see that the result fees served no denominational purpose. The first matter to which he would call attention was the appointment of Professors. Much would depend upon the class of Professors appointed. In the Bill of the hon. Member for Roscommon there was a provision which no Roman Catholic would object to being employed in the appointment of Professors — namely, payment by results. In the hon. Member's Bill it was proposed that salaries should be paid to Professors appointed by the College and approved by the University. No one was disposed to ask for money to be paid for Professors solely appointed by the Bishops or the Body in charge of the affiliated Colleges. They would not do so, but were perfectly willing that the secular Senate or the State should have an equal voice in the appointment of Professors. Some time ago he made, through another channel, the suggestion that the State or the Senate should have the power of appointment, subject to the approval of the affiliated Colleges, and that the affiliated Colleges should have the power of dismissal if the Professor turned out unsuitable. If the Professors were to be paid by results, the affiliated Colleges should not claim the paramount right of appointment. If they had payment by results, probably they would insist on the introduction of a Conscience Clause to guide the studies in the affiliated Colleges. A Conscience Clause was introduced in the Intermediate Education Act. In that Act they were dealing with schools in which boys from 11 to 16 years of age were educated—an age when religious principles were formed, and when the religious edifice of a man's life was built up. It was said in "another place" that a Conscience Clause would be useless in the affiliated Colleges of a University, although it would be useful in a school; but he thought it was quite the other way. A Conscience Clause was no use whatever for the purposes of mixed education, because no Catholic would think of going to a Protestant intermediate school, and *vice versâ.* Therefore, the Conscience Clause was a mere sop of no practical use with regard to Intermediate Education; but it was a very different thing with regard to the halls of a University, where the young men came to pursue their secular studies. It was perfectly possible that Protestants would come to the halls of a Catholic College; and if a Catholic College was a success, he thought there would be a larger number of Protestants come to it than many hon. Gentlemen supposed; and, therefore, he had no objection to a good and substantial Conscience Clause to protect the rights of the Protestants who might wish to come. Mixed education seemed to be a source of great anxiety to many hon. Members, who said they would be glad to see the Protestants and Roman Catholics studying together. He believed that if they provided this safeguard for Roman Catholic education, guarding it, at the same time, by a Conscience Clause, there would be a greater chance of bringing both classes together than there was under the present system. He would suggest that, if the payment by results was adopted, the State should have the right to inspect, by the officers of the University, the affiliated Colleges of the University; and the State should also have the right of seeing that the money that was given for the purpose of furthering secular study was applied for that purpose. He also thought the State should be entitled to lay down certain conditions as to the constitution of the Colleges which were proposed to be affiliated, in order to secure that the Colleges should not be altogether under clerical control. The State, also, would be bound to see that nothing in the nature of an intermediate school received one halfpenny of payment by results. In regard to this matter, the hon. and learned Member for Louth had been misunderstood. He had suggested that, in the first instance, a hard-and-fast line should be drawn, and that it should be determined that, until an Act of Parliament allowed it, only two or three institutions in the country should receive any endowments in the shape of result fees. There was an institution in Dublin known as the Catholic University, and the result of this would be that an institution like that, having a status, would be a nucleus of University life, and result fees would pour in, guarded by a Conscience Clause. He desired not merely to have provision for instruction for young men, but he desired a Collegiate and resident University life to grow up; and it was only by excluding intermediate schools and seminaries from result fees under this Bill, and confining the fees to institutions which, by locality, number of pupils, and absence of intermediate teaching from their curriculum were qualified, that the wants of the people could be properly met. The young men of the present day fell behind in culture the generation which was passing away; and, he believed, if hon. Members could see the falling off in Ireland in this respect—talents lost and capacities abused, bad habits formed for the want of culture—they would generously make a sacrifice of principle. But no sacrifice of principle was required. Result fees, properly guarded, would involve no sacrifice of principle. With regard to the Fellowships proposed to be created under the scheme, one solution of the question which had been proposed was to pay the Professors. He would suggest that they should make the Fellowships which were to be created tenable on condition that the Fellows taught in some University College affiliated to the University. He thought that was a fair solution. A good deal had been said about the Intermediate Education Act; but it did not afford any worthy or satisfactory analogy on the present occasion, and it was weak and dangerous to pursue that line of argument. They should accept the proposal of the hon. Member for Cork, and, in connection therewith, the payment by result fees would stand upon its own merits. As he had sketched that payment, it did not in any way involve the principle of denominational education, and it was free from the trait which made denominational endowment or denominational education so objectionable to the great majority of the Members of the House. Unless the suggestions of his hon. Friend the Member for Cork, or some similar proposal, were adopted in the Bill, such as would give means for growth of University life in Ireland, this question could not be regarded as settled. If an attempt were made to pass the Bill into law without such an addition, the Government would probably succeed; but they would only succeed in carrying a measure unworthy of a Government which pretended to deal seriously and effectively with this question, and unworthy, also, of the warm approval of the Representatives of Ireland.

MR. GREGORY had listened with regret to the speech of the hon. and learned Member who had just sat down, because he thought the Government had gone quite as far as many of their supporters, and certainly as far as he himself would be prepared to go. He could not help feeling that, logically, hon. Members who represented Roman Catholic constituencies in Ireland had hardly a case for the Bill which was now introduced. As a matter of fact, it appeared to him that all the requirements of the Roman Catholics were met by the institution of the Queen's Colleges; that there was no ground, logically speaking, for the prejudice entertained by the Roman Catholic gentry of Ireland against those Colleges. Some of the leading members of the Roman Catholic Church in this country had, he believed, sent their sons to the English Universities. He accepted the statement, however, that the Roman Catholic gentry of Ireland objected to send their sons to the Queen's Colleges, and, on that ground, he was willing to go so far as to accept the present Bill; but it would be necessary to see that the endowments under the Bill, whatever they were to be, were to be endowments of a University, and not of denominational Colleges; and the House did not yet know what those endowments were to be. Taking the Bill as it stood, he should give it his support. In so doing, he confessed he did not feel there was a very strong case made out for the measure. He accepted it on the representation of certain Members of the Roman Catholic persuasion coming from Ireland, and in deference to their feelings and prejudices, rather than on account of any logical ground on which the measure stood.

MAJOR O'BEIRNE could not help regretting the unfortunate results with which the introduction of the first Bill on this subject this Session had been met. He was quite sure the present

Bill would not satisfy the demands of the Irish people for University Education. The proposal of the right hon. Gentleman the Member for Greenwich, in 1874, would have been far preferable to them, for by it Trinity College, Dublin, would have been converted into a National University, which would have been affiliated to the Catholic Colleges throughout the country. The present Bill did not propose to give any money endowment to Catholic Colleges in Ireland. It was impossible that the Catholic people of Ireland could shut their eyes to the fact that denominational education was at present amply provided for in England and Scotland. They had only to look at the provision made for elementary education in England and University Education in Scotland to see how liberally the sister countries were provided for in a matter in regard to which the scantiest justice was denied; and while this was the case, the Irish people had taxed themselves to the amount of £200,000 to establish a Roman Catholic University, they not receiving a single farthing of public money to aid them in this great effort. Trinity College was one of the most richly endowed educational establishments in the Three Kingdoms. It had 200,000 acres of land, museums, and libraries, was rich with valuable manuscripts; but it was thoroughly Protestant. All its Professors were Protestants, nearly all its students Protestants, and the whole tone of the institution showed it was, though nominally open to Catholics, practically as exclusive as if it were closed by law to all but members of the favoured faith. In view of these circumstances, the Irish people could not but be extremely disappointed with the present Bill. It was impossible that English or Scotch Dissenters could understand the question of Catholic University Education in Ireland. When Protestant Dissenters went to a Protestant institution they saw rites and ceremonies, not the same as their own, no doubt, but not so very different as to occasion them any shock, and they took no great exception to the religious services of the great Protestant Universities. Between these denominations there was not that enormous difference to be found between either; and Roman Catholics could not in this respect act as the Dissenters did. They did not think their sons could learn history from a Protestant Professor, because, to begin with, the whole course of Irish history took its character from what occurred 200 years ago; and the Catholic parent objected to history distorted or coloured by the prejudice and bigotry of a Protestant Professor. They conscientiously insisted that the Professors who trained their children should be Catholics, and what they were contending for was really a Catholic University. How, he asked, if the tables were turned, would Protestant parents like to send their sons to an institution where all the Professors were Jesuits, or even Catholic laymen? It was only natural that Ireland should insist in her demand to have a grant of money for a University; and although some hon. Members might be willing to accept the proposition of the hon. Member for Cork (Mr. Shaw) of payment by results, yet, he was sure, that would never settle the question. That settlement could only be arrived at by disendowing Trinity College, selling the property, and devoting the proceeds to national purposes, and putting every religious denominational College on an equality, or by giving equal endowment to Roman Catholic Colleges.

Sir GEORGE BOWYER said, he should give his most sincere support to this Bill, principally because it dealt in a genuine manner with the great grievance of which the Irish Roman Catholics had hitherto complained—namely, that there was no University in Ireland which gave degrees to persons educated in denominational schools and Colleges. That was so with the Queen's University, because that University gave degrees only to those who had studied in the Queen's Colleges, and those Colleges were undenominational. Then there was Trinity College. It had, no doubt, been made accessible to Roman Catholics; but it was under conditions which Roman Catholics could not accept, because in that College the education was undenominational. Parents had a right, on behalf of their sons, to insist upon that form of education of which they approved, and the Roman Catholics of Ireland had a right to say their children should not be denied a University degree because they had been educated in schools where the Catholic religion was taught. They had been told that

Irishmen might come over to London and take degrees at the London University. But Irishmen had a right to say they did not want to come over here, but desired to have a University in their own country capable of granting degrees. That was a most reasonable feeling on their part. What would the Scotch think if they were obliged to come to the English Universities to receive their degrees? The Roman Catholics were a majority of the people of Ireland, and their religious principles ought to be respected; and, in his opinion, this Bill really did remedy one of their grievances, because the University to be created under it did not favour Roman Catholics more than anybody else; at the same time, it was a concession to those who were in favour of their sons receiving a denominational education, because under the Bill young men who had been educated in Roman Catholic Colleges or schools would be able to obtain these University degrees, which they could not do at present. It had been contended at some length that an institution which brought young men together was much better than a mere Examining Board. No doubt, this was true but; it was beside the question, for it did not apply to the present case. They could not have what was best in the abstract, and must content themselves with that which best met the special circumstances of the case. This Bill did not interfere in any way with the Queen's Colleges. It had been argued that the Queen's Colleges ought to be amplificated. He supposed what was intended was, that there should be something in the shape of the Supplemental Charter of which so much had been said, and that what had once been vainly attempted by means of such a Charter should now be effected by Act of Parliament. He maintained, however, that to introduce into the Queen's Colleges principles which were totally different from those upon which they had been founded would be a process of mere tinkering and cobbling, which could not lead to any satisfactory result. If they wanted to redress the grievance that admittedly existed in Ireland, it would be necessary to make a clearance, and to erect something new. Had the Queen's University been a venerable institution, sanctioned by age and history, he should have hesitated to destroy it; but, in point of fact, it had been created by Act of Parliament, and might, therefore, be abolished by the same means. The wisest plan would be to sweep it away, and to set up something more in accordance with the necessities of the case. He had felt, with regard to the Bill of the hon. Member for Roscommon (the O'Conor Don), that there was a great objection to it in the fact that it created a third University; but the present Bill steered clear of that obstacle to its acceptance. Whatever endowments belonged to the Queen's University would be transferred to the new University, which would, consequently, not have to ask for fresh benefactions. The Bill, however, did not interfere with the Queen's Colleges, which would still remain, and would be included in the new University, which, at the same time, would grant degrees to persons educated in denominational Colleges. He had been very anxious that the Government should offer some subvention to the new University. When the Bill had first been introduced he had felt that that new University would be *in formâ pauperis*, and that it would not be able to hold its own against Dublin; but the Government had made a considerable concession in the direction of supplying it with Fellowships and other advantages of that kind. However, even if no important concession had been made, even if no money had been granted, the Representatives of Ireland would make a great mistake in rejecting the Bill. They had made a mistake in rejecting the measure of the right hon. Gentleman the Member for Greenwich. ["No, no!"] He said "Yes," and he believed a majority of the Irish Representatives would now agree that a mistake was made when that Bill was rejected. They had made another mistake at the time when Lord Mayo was in Office, and the Conservative Government had been disposed to make concessions to the Roman Catholics. A great step was to have been made in that direction, whatever might have been the precise intentions of Lord Mayo. Hon. Members should remember that extreme views were fatal to legislation, and that, now they had thrown away several valuable and important opportunities, they had to make the best of their position. The Government had made a liberal offer in endeavouring to remove the grievance of which they complained. The University of London, whether it was in Piccadilly or in Carlow, was still English, and not Irish, and the Irish had a right to have an University of their own that would give degrees to persons educated in denominational Colleges. He would be very glad to see a purely Roman Catholic University endowed; but how could they expect such a thing? If any Government proposed it, they would be turned out of Office in a fortnight. It could not be done; for neither the strong Protestants, nor the Nonconformists, nor the other House of Parliament, would give their assent. They might just as well cry for the moon. They must not ask for what was impossible, and they ought not to expect any Government to knock their heads against brick walls, ending in their political destruction. No doubt, it would be very heroic to see that species of martyrdom; but it was impracticable. The Bill of the hon. Member for Roscommon, though it did not propose a Roman Catholic University, certainly went very near the endowment of denominational schools and Colleges; but even if the Government had supported him he could not have carried his Bill. Even in the case of the present Bill, which avoided the difficult question of endowments, they had had the violent speech of the hon. Member for Liskeard (Mr. Courtney), and probably some Nonconformist Member would join his opposition to it. Nor, in fact, did he himself think the Bill perfect; but he wished to avoid the grave error of refusing a fair offer for the sake of the unobtainable. He could not vote for the Amendment, because, if it were carried, it would be fatal to the Bill. Hon. Gentlemen, he was sure, would not vote for that Amendment if they thought there was a chance of its being carried, because, if carried, it would be fatal to the Bill. The Bill conceded as much as the Roman Catholics could expect—not so much as they had a right to, but as much as they could get. He did not mean to say that when the Bill was in Committee modifications might not be introduced in it; possibly there might be. He should be very glad if Her Majesty's Government would modify the Bill in the sense he had indicated. But he gave a most cordial support to the Bill, and, when carried, he thought Her Majesty's Government might congratulate themselves on having settled what the French called a burning question—a very difficult and troublesome question; and he was sure the people of Ireland would find they were benefited by the Bill.

Mr. J. MAITLAND thought the reasonable demands of the Irish in this matter would be conceded by the people of this country as soon as it became thoroughly instructed in the matter. He was humbly of opinion that the people on this side of the Channel did not know what they themselves had in the way of Universities, and what the people on the other side of the Channel had not. He had himself had a good deal of experience at various Universities, and he should like to point out, in the first place, what we had in this way. The impression was general in this country that we had at our great Universities a secular system—that, in point of fact, our great Universities were not Protestant, and certainly not denominational. Now, at Oxford, not only the Professors, but the tutors, Fellows, and students were almost to a man not only Protestants, but members of the Episcopalian Church of England. Besides that, it was necessary, or, at least, the custom and practice—anyone who did not conform to it rendering himself an outsider—not only to attend the College Divinity lectures, but to attend the College chapel. It was quite true that the Dissenters in this country—and amongst them he included the Catholics—had obtained the right to go there without signing tests; but that had not been the kind of grievance which the Roman Catholics had objected to. What they objected to was, that if a Roman Catholic allowed his son to go to Protestant chapels there was a high probability that he would not leave it a Roman Catholic, if he did not leave it a Protestant. The same state of things existed at Cambridge. In a much less degree the same thing prevailed in the Scotch Universities. He knew perfectly well that it was said these Universities were not mainly supported by the State, and that the Professors did not draw their salaries largely from the Consolidated Fund. At the same time, there was a very considerable number of Regius Professors who were appointed by the Crown, and, he understood, received salaries from the Crown. This was said not to be a public endowment; but both the Universities of England and Scotland had a very large amount of endowments of Professors, but endowments which had, over and over again, been dealt with by a Parliamentary Commission, which had been treated as public, and had been handed over from one Professorship, and from one purpose to another. It therefore appeared to him that these endowments were thoroughly, or in the main, public. What was the position in Ireland? The Protestants had a University, and a good one, already endowed. But the people of Ireland—the 4,000,000 of Catholics—had not an endowed University. They had not got a University which their religious scruples or religious prejudices would permit them to send their children to. It was said that if that was so the Catholics should put their hands in their own pockets. He maintained that to ask them to do so was entirely unjust, as putting them in a position which was totally different from that of the people of England and Scotland. It was very difficult for an English or Scotch Member thoroughly to understand the needs of the people. The mere offer of degrees to the people of Ireland was not what they principally wanted. What they wanted was education; and they wanted the education to be brought to the poor people of Ireland. He was very much struck with the speech of the hon. Member for Liskeard (Mr. Courtney), who seemed to think that University Education was only for the rich. Why, anybody knowing anything of the Scotch Universities knew that they were the Universities of the people. Hon. Members would be surprised how very small a sum of money would bring a youth up from the country, and get him all the advantages of a University Education. This was what the people of Ireland wanted, and had not got. He hoped the Irish would stick to their colours, for they were fully entitled to have something more than this Bill would give them. When the people of England and Scotland thoroughly understood the position of the people of Ireland—that they had themselves got what the people of Ireland had not got—he believed there was too much justice in this country to make this the subject of a Protestant cry.

MR. HOLT said, no one who understood the subject could be surprised that the Bill had given rise to much speculation, and had been sharply criticized. He was of opinion that the statements made by the Home Secretary in that House, and by the Prime Minister and the Lord Chancellor in "another place," amounted to a definite pledge on the part of the Government, which ought to disarm opposition on the part of those who objected to denominational endowments. The conviction that such was the case would render his criticism very friendly. He looked at the Bill, under these circumstances, as an honest endeavour to deal with this question. He had stated on a previous occasion that he did not at all approve the erection of a third University in Ireland, and he must express his regret that a very good institution now in existence should be destroyed in order to build another on its ruins. For his own part, he should prefer to retain the old name of the Queen's University, to enlarge the number of the Senate, if need were, and to increase its powers. The subject had, however, he had no doubt, been carefully considered by the Government in that aspect; but he would invite them to explain to the House the reasons which had induced them to destroy the Queen's University instead of bringing in a Bill to deal with it in the way which he had just suggested. Regarding, as he did, the constitution of the Senate to be created under the Bill as a matter of the greatest importance, he hoped special care would be directed to that point. There appeared to him, he would further observe, to be a great deficiency in the Bill, as originally introduced, which, however, had been to some extent remedied by the suggestions which had been made by his right hon. Friend who had moved the second reading. The Bill would, he thought, be rendered more perfect and attractive by some provision for University prizes; and if the thing were worth doing at all it was worth doing well; but if Fellowships and Scholarships were to be provided, he hoped the University would be endowed with money voted annually by Parliament; that the endowment would be kept entirely separate from any Collegiate institution, that the Fellowships and Scholarships would be thrown open to public competition, under regulations to enable them to be held by students resident in any part of Ireland without any restriction whatsoever as to creed. There was one restriction, however, which, in his opinion, should be imposed, and that was that they ought not to be permitted to be held along with similar preferments in any other University. He had no objection whatever to raise as to the suggestion which had been thrown out by the Government with respect to the erection of University buildings, for it was very desirable, he thought, that the new University should have a visible existence and a local habitation. But that would not satisfy the wishes of the hon. Member for Cork. His Amendment was entirely antagonistic to the principle of the Bill as he understood it. It was alleged that the Roman Catholics of Ireland were unfairly treated with regard to higher education; but on examining into the matter he found that they enjoyed an exceptionally favourable position. Every hon. Member was aware that the Church of Ireland had long been connected with Trinity College, Dublin, and that Churchmen there enjoyed educational advantages of a high order; but they were also aware that the doors of the University of Dublin were open to all comers. And, again, as to the Queen's University, he found that for the year 1877-8 there were in attendance at the Queen's Colleges 348 Presbyterians and no fewer than 224 Roman Catholics, the members of the Church of England being 226, while there were 88 belonging to other denominations. The fact, therefore, was that even though Presbyterians were the most numerous, the advantages conferred by the Queen's University were enjoyed by students of all denominations. He must, however, observe, as to the Roman Catholics, that it seemed to be generally forgotten in the course of the debate that there was in Ireland such a College as Maynooth which was exclusively the property of Roman Catholics, which was not open to Protestants, and which was entirely free from the control of that House, and that not less than £1,000,000 of the public money had in one way or another been expended upon that College. That being so, he could not help thinking that, with the Queen's Colleges and the University of Dublin also open to them, the complaints which were made by the Roman Catholics of Ireland on the score of inequality as regarded education were not well founded. No doubt, it was generally understood that Maynooth was reserved for the education of candidates for the priesthood; but if the Roman Catholic authorities were apprehensive that the minds of young priests might be contaminated by association with laymen of their own communion, that was their concern, and not the fault of Parliament. It seemed to him that the Protestant Members of that House ought to do everything which they could to encourage education in Ireland; and, for his own part, he would concede to Roman Catholics everything which he conceived he would be entitled to ask for himself in a Roman Catholic country. He did not think, however, that the House ought to be required to concede more. He thought the privileges allowed to Protestants in the City of Rome, under the temporal rule of the Pope, might be fairly taken as the measure of the concessions which Roman Catholics were entitled to seek from a Protestant Legislature. He would ask hon. Gentlemen opposite whether any one of the Popes of modern times would have given to Protestants residing in Rome such advantages as were already freely accorded by Parliament to the Roman Catholics of Ireland? But he was willing to go still further—to give them more than they would give to him—and should have no objection to see the provisions of the Bill extended. He should vote for the second reading for two reasons—because he was willing to do all that he could to meet the wishes and the religious convictions of his Roman Catholic fellow-subjects, and because he regarded the Bill as a deliberate declaration by Parliament that it was not prepared to vote money for the endowment in Ireland of an educational institution which was not to be under the control of Parliament and for the efficient management of which Parliament could take no sufficient guarantee.

Mr. O'DONNELL said, the general subject had been so ably dealt with on both sides of the House that he should not refer to it at any great length. If the hon. Member for the County of Cork went to a Division, he should certainly support the Amendment; but, at the same time, he should not vote against the Bill of the Government. The sole reason why he did not think he should be justified in voting against that measure was, that, although obnoxious and unsatisfactory in probably every other respect, it was very satisfactory in this respect, that it was an excellent unsettling Bill. It was a Bill which broke up some very obnoxious institutions which introduced the thin end of the wedge of change into the existing educational system in Ireland; and while Her Majesty's Government might think they were entitled to stop there he had no doubt whatever that the National Party would drive home the wedge before they were done with the subject. The Bill, as it at present stood, might be thus summarized, taken in connection with existing institutions which were not intended to be touched. They had Intermediate Education, recently reinforced and improved, with the object of preparing young men for Colleges. They had the Queen's Colleges to receive them in view of the supporters of denominationalism and secularism in Ireland; and now they were to have an extended University, to which the Queen's Colleges would have the same access as ever, and which would be assisted by a considerable endowment from the public funds. It was said the funds that would be spent on the new University would be equally open to Catholics. That was evidently not the case, because these funds could not be equally open to competition so long as Protestant and non-Catholic students had exceptional and special advantages and facilities in professional halls for being educated for these prizes, while the Catholics of Ireland received no such facilities whatever. Although the Bill, as it stated, was an amplification and extension of secular education in Ireland, yet expressions had been dropped by various Members of the Government, and by the more advanced and truly Liberal Members of the Liberal Party, which did not deprive the Irish Members of a hope that the measure might possibly be amended in Committee. Besides, the Bill proposed to do away with the Queen's University in Ireland; and, while it was all very well to talk about the Queen's Colleges being left untouched, it would be necessary in the new University to raise the standard of secular education; and the moment that was done the present education given in these Colleges would be no longer fit to qualify men to obtain University degrees. It was not known, except to those who had studied this question, that the Queen's University was founded for a severe degree examination, and that the Colleges did not prepare their students to pass that examination, and that they accordingly proposed to lower it, and, in spite of the protests of the graduates of Cork, Galway, and Belfast, the old degree examination was adulterated down to the level necessary in order, to quote the words of Vice President Andrews—

> "To allow of the presentation of a good number of students for degrees at the annual examination in the presence of the public in Dublin Castle."

This Bill could be no settlement; it was the beginning of great changes in the Queen's Colleges which, ultimately, it would revolutionize. It was impossible to lay hands on the Queen's University, and to leave the Queen's Colleges untouched. It would be necessary to raise the standard of secular education, as it now stood, to qualify for a University degree. Then, the Bill would encourage the National Party in Ireland not to stop or stay until, by levelling up or levelling down, they had placed the Roman Catholics on a footing of equality with their Protestant fellow-countrymen. Englishmen must not be misled by the figures which were sometimes used to show the success of the Queen's Colleges. There were, it was true, 900 students in these Colleges; but of these, 600 were medical or professional students. Only 200 or 250 of these students were Art students, yet, out of these, there were 25 Roman Catholic students at the Cork College, 20 at Galway, and 3 at Belfast. Now, the Queen's Colleges were not originally intended to be mere professional schools. They were intended to be the medium of giving a University Education to the youth of Ireland. In that they had failed, as the figures he had quoted showed. How had these Colleges had the success which was supposed as professional schools? It was perfectly true that the Colleges of Belfast and Cork were good medical schools; but good medical schools existed in those towns before the Queen's Colleges were established there, and were not created, but were simply annexed by the Colleges. The so-called Medical School of Galway had no real existence. Therefore, even in regard to medical education, these Colleges had not had the success which was supposed, while their Arts Faculties had been a complete failure. However they might regard the question, this Bill was certain to be the forerunner of great changes; as it stood, it was suspected by the whole of the Catholics and many of the Protestants of Ireland. The reason why he did not oppose the second reading was, that the Bill held out such hope of thoroughly unsettling everything that at present existed in Ireland in the way of education as to insure that the question must be thoroughly treated at some other time when, perhaps, the Government might be a little less afraid of the ultra-Protestants, and the Front Opposition Bench might be able to look at Irish questions with a little less dependence upon the ultra-Radicals. Anyhow, whether it came to be a question of levelling up or levelling down, the Irish people were determined to be placed on a level in the matter of education.

Mr. J. P. CORRY said, that as he presumed he was one of those narrow and bigoted Conservative Members to whom his hon. Friend the Member for Cork referred so pointedly in his able and humorous speech he felt bound to say a few words. Knowing, as he did, the feeling of the North of Ireland on this subject, he had some right to express his views. His hon. Friend thought that unless they had denominational Colleges endowed in Ireland there could be no real University Education. He, on the other hand, was very strongly of opinion that if this Government, or any other, proposed the endowment of Roman Catholic Colleges it would upset them. His hon. Friend had referred to the Intermediate Education Bill of last year. So far as the granting of Exhibitions and premiums to the students was concerned, he was thoroughly at one with those who supported the proposal; but he altogether objected to the payment of result fees to denominational institutions. His hon. Friend had said that he (Mr. Corry) was so strong a Party man that, no matter what measure was proposed by the Government, he would vote for it. But he could conscientiously say that if the Government proposed to endow any denominational institutions he would certainly oppose them. His hon. Friend the Member for North-East Lancashire referred to the money given to Maynooth. That seemed to have been kept out of sight in every debate since 1869, when a large sum was handed over to that College. If it had not been for that, and if the money had to be voted annually, they would not have had the opposition to the grant to the Queen's Colleges which they now had to contend with every year. He was quite of opinion that what the Chief Secretary for Ireland had shadowed forth in addition to this Bill would meet the wants of University Education in Ireland. In connection with the Queen's Colleges, there was about £4,000 a-year given in Exhibitions. That was a large amount; but there were no Fellowships attached to them. He would strongly urge the Government to establish Fellowships of a substantial amount, to be competed for, not only by students of the Queen's Colleges, but by students from outside. If an equal amount to that now given in College prizes were given to students outside, it would be in the first place, at all events, a very fair settlement of the question. He was very glad his right hon. Friend intended to propose that there should be University buildings, libraries, museums, and other appliances in connection with the new institution. In such matters the Queen's University had hitherto felt a great want. He agreed with his hon. and gallant Friend the Member for West Sussex (Sir Walter B. Barttelot) in preferring that the existing University should have been continued and extended; but he presumed the Government had some reason for the change proposed. He hoped the House would hear from them the reason for making the change. He sympathized with the graduates of the Queen's University in the extension of their University, and he hoped the Government would take the views expressed by them into serious consideration. He thoroughly supported this Bill, especially with the additions foreshadowed by his right hon. Friend the Chief Secretary for Ireland; and he was anxious that it should be thoroughly debated and decided that night.

Mr. FAWCETT said, it would be generally admitted that the House had been placed in a position of unusual—

he might almost say unprecedented—perplexity, by the extraordinary course adopted by the Government. So far as he was aware, what had recently occurred, and especially that evening, had never happened before. A Bill calmly considered, and obtaining a large amount of support, had been introduced by his hon. Friend the Member for Roscommon. He had not intended to support that Bill; but he could not conceal from himself that it met with an unusual amount of support from Irish Members and from many distinguished Members sitting on that (the Opposition) side of the House. That Bill was fully discussed, and at the end of the discussion, without a word of warning, the Government suddenly announced that they were going to introduce a Bill of their own. In a Session when Members were constantly told that there was not time for the practical Business of the House, when many important measures had to be abandoned, when Supply had been huddled up and thrust into the last corner of the Session, surely a Government anxious to economize the time of the House might have adopted some other course than, at the end of a Wednesday Sitting, announcing that they were going to meet the Bill of the hon. Member for Roscommon with a measure of their own? But, strange as that proceeding was, what happened that evening was infinitely more strange. A Bill was introduced in the House of Lords by almost the most important Member of the Government—the Lord Chancellor—who, above all others, would be supposed, from his intimate acquaintance with University Education in Ireland, to have been prepared with a matured and not an inchoate and ill-considered measure; that Bill was discussed on the second reading, and passed subsequent stages without a word of warning as to what was coming. What was the House asked to do now? Not to give a second reading to the Bill introduced by the Lord Chancellor, the Bill which had obtained the assent of the House of Lords; but, without having seen it, to give a second reading to an entirely new Bill. He had almost thought of appealing to Mr. Speaker, as a question of Order, whether such a proceeding was not absolutely an infringement of the Rules of the House; whether it was not, at any rate, laying down a precedent which might have extremely awkward and inconvenient results? The second reading of a Bill was not an empty form, an idle sham; it was the affirmation of a principle. What was the Bill which was introduced and had passed the House of Lords—the Bill which, so far as the printed document was before them, they had to consider that evening? It was simply a Bill for extending the examining functions, the degree-conferring powers of an existing University in Ireland. But what was that Bill suddenly, without a word of warning, converted into? A Bill for the endowment of a new University. That was an entirely distinct and different proposal. He did not wish hastily and prematurely to express an opinion; but he would say that nothing was more dangerous than for that House to affirm a Bill which they had not yet seen in print, and to assent to proposals which might assume altogether a different character when they had an opportunity of seeing them on the Paper. Whatever their opinions might be on the vague and shadowy proposals sketched by the Government that evening, the House ought not to allow this entirely new Bill to be read a second time, unless they received from the Leader of the House some more distinct and precise explanations than had yet been given of it, and also a distinct assurance that before they were asked to go into Committee the nature and the amount of endowment should be placed on the Table. Unless they received a distinct assurance to that effect, after the Amendment of the hon. Member for Cork (Mr. Shaw) was disposed of, he should move the adjournment of the debate. The Amendment of the hon. Member for Cork, read in the light of his speech, amounted to a declaration that no solution of the University Question in Ireland would be satisfactory without some distinct endowment in the shape of result fees, or in some other form. To such a proposal as that he could not give his consent. The hon. Member for Cork had attributed certain motives to a section of the Liberal Party. He said the Front Opposition Bench was influenced, almost coerced, by a section of the Liberal Party, which had but one object in view—to steal away from Catholics that faith to which they were attached. The hon. Member for Cork had a perfect right to say their opinions were wrong, or the advantage of the University if it came into existence, or whether they were to be reserved as the special prizes of those students who would also be allowed to compete for the new prizes which were to be given. In the absence of such information they approached the question under the greatest difficulties. He had, personally, some reason to complain. He had placed before the House a Bill of the fullest character, and concealing nothing. He had explained its object. It was distinctly stated by several of his hon. Friends who followed him that if the Bill was found not to carry out the intentions of its promoters, which had been clearly laid before the House, the promoters were perfectly willing to amend it. But what did the Government say? What did the Home Secretary say? He said—" Oh, it is all very well for hon. Gentlemen to talk about intentions. We must look at the Bill as it is. We must look at the Bill as laid on the Table, and the Bill, according to our interpretation, does not carry out the intentions which the promoters profess to desire to carry out." This objection came from a powerful Government with a large majority at its back, which had it in its power to alter the measure as it thought fit. And yet the same Government now brought down a Bill which in itself was utterly valueless, and said there was something else to be added to it which ought to give satisfaction. What did the Government propose to give them? As far as he could gauge their promises, there were to be certain prizes and Scholarships and Fellowships established, for which the students of the Queen's Colleges, who were to be students under the new University, and anyone else, were to be allowed to compete. They proposed, at the same time, to retain for the Queen's Colleges all their present endowments; and then they came forward and told them that this was equality, and that it ought to give satisfaction to the Irish people. What had been all along the demand of the Irish people? What they had demanded was equality; what they said was that they had not been given the means of obtaining that education which would enable them to secure University training. The existing inequality would be only made the more patent by placing in the same University Colleges richly endowed, and then asking them to compete with institutions to which the State did not give a farthing. Surely the demand made by the Irish people ought to commend itself to the most extreme politicians sitting on that side of the House. They were not asking for anything in the shape of religious endowments. They had a right to select the institutions to which they would send their children to receive secular education; and those institutions ought to be treated in the same manner as similar institutions were from which, for conscientious reasons, many young Irishmen were excluded. That was not a principle held by Roman Catholics exclusively, for it was embodied in a Memorial presented to the House by the Wesleyan body last year. They, owing to conscientious objections, could not send their children to certain State-supported schools, and they complained that the fact that their own schools were deprived of public grants was an infringement of religious liberty; and he agreed with the memorialists that it was. As he had said, the parents had a right to select the schools to which they would send their children, and the State ought to assist them in obtaining secular education. That was the principle to which he endeavoured to give effect in the Bill which he had introduced. What he asked for was an extension of the principle recognized and adopted in the Intermediate Education Bill of last year. By that Bill, rewards were given to students; but grants were made also to the institutions in which they were educated. But, said the Chief Secretary for Ireland, the Intermediate Education Act dealt merely with children, and the University would deal with young men; but the right hon. Gentleman forgot that the children so dealt with ranged from 15 to 18 years of age. Such an argument as that used was simply a trifling with the House, because there was no real difference between the class of students who went to the intermediate schools and those who went to the University Colleges. They were told that the University Colleges were more denominational than were the intermediate schools. But what were the intermediate schools? Why, they were the most essentially denominational schools to be found in Ireland. There were amongst them Jesuit schools, schools conducted by religious ladies, and eccesiastical seminaries, which were attended by children of one denomination only. A Conscience Clause applied to such schools was a perfect farce. He had so stated last year, because he knew that to speak of a Conscience Clause as regarded those schools would be merely to throw dust in the eyes of the public. But with respect to the University Colleges, he thought a Conscience Clause might much more easily and effectually be applied than it could be to the intermediate schools. Then there was the point as to inspection. The intermediate schools, it was said, were inspected, and there was no proposal to inspect the University Colleges. That was altogether a mistake. There was no inspection of the denominational schools. How, he asked, could they justify the payment of the result fees to the intermediate schools, and refuse them to the intermediate Colleges which prepared young men for the University? The wording of the Amendment of his hon. Friend the Member for Cork had been criticized; but all it asked was an extension of the principle which had been adopted last year. The hon. Gentleman the Member for Liskeard had twitted the Chief Secretary for Ireland with his ignorance of the state of education in the country, and alluded to the fact that the right hon. Gentleman seemed to entertain the view that residence in the Queen's Colleges was necessary. [Mr. J. LOWTHER denied that he had said so.] He did not charge the right hon. Gentleman with that; but the hon. Member for Liskeard did. Then, having informed the House that Collegiate residence was not necessary in the Queen's University system, he quoted a most eloquent passage from the writings of Cardinal Newman, with every word of which he (the O'Conor Don) agreed, the whole point of the extract being in favour of Collegiate residence, and apparently thought that he was strengthening by that the case for the Queen's Colleges. The hon. Member was also very uneasy lest the very high standard of education in the Queen's Colleges should be injured by the establishment of this new University. He wished the hon. Gentleman really knew what the standard of education maintained at the Queen's University was. He had been informed by a gentleman, on whose word he could place the utmost reliance and who was the head of one of the intermediate schools, that, within the last year, boys from his institution who held a very low place there had gone up to the Queen's University and not only matriculated, but gained Exhibitions and prizes, although, in his school, they were not at all able to take front rank in the examination. It was notorious in Ireland that in order to gain students the Queen's College standard had been lowered to such an extent as to prejudice the education of the country. One of the great results which he hoped would be obtained by the institution of a new University was the raising of the standard of education, which the Queen's University had so greatly lowered. He trusted that the Government would explain more clearly before the close of the debate what they really proposed, and whether their proposals were or were not to be embodied in the Bill. For himself, hazarding his own individual opinion, he did not think that a proposal which would give prizes and rewards to be competed for in a common University by institutions largely endowed, and institutions which had no endowments whatever, would be satisfactory. To accept the proposal would be to give up the principle which he and his Friends had fought for so long. He could not, therefore, accept the proposal as a settlement of the University Education Question.

MR. GOSCHEN said, he did not propose to trouble the House with any lengthened observations upon the Bill. He thought there was a general feeling among hon. Members to the effect that they were placed under some disadvantage in discussing the measure, because they did not precisely know what the proposals of the Government were. His hon. Friend the Member for Hackney (Mr. Fawcett) had already alluded to the extraordinary fact that they learned on that evening for the first time the intention of the Government with regard to finance, in relation to which not one word escaped the lips of any of the Colleagues of the Leader of the House in "another place." The Chancellor of the Exchequer had been asked to give explanations upon this point. He hoped that the right hon. Gentleman would feel that it was due, not only to that House, but to the House of Lords, that those explanations should be forthcoming. At the same time, he thought it was scarcely satisfactory that they should only hear those explanations at the end of the debate. The absence up to that moment of such explanations reminded him of another occasion, when, after the House had discussed a Bill for a whole day, one of Her Majesty's Ministers at the close of the debate gave some explanations which completely changed the whole aspect of affairs. He hoped the explanations to be given would be satisfactory, and would not be confined to the one point which he had mentioned. It was quite possible that actual clauses could not be passed in the House of Lords relating to money; but surely it was incumbent upon the Government to state, when presenting their Bill, this important fact—that the House of Lords did not have before them the whole case, and that the most important feature of the Bill—namely, the question of finance—was reserved to be introduced when the Bill should be read a second time in the House of Commons. These circumstances appeared to be still more remarkable, when it was remembered that a statement was made in "another place" that the Bill had been carefully considered, though it appeared to hon. Members on this side of the House that the Bill was only a 10 minutes' Bill. If the measure was in the minds of the Government before the commencement of the Session, they were entitled to know whether this endowment of the University formed part of the original scheme. The hon. Member who had spoken last had indicated some further questions, upon the answer to which depended their whole attitude towards the Bill. He regretted that they had been obliged to debate the Bill without the requisite knowledge respecting those important questions. Was it intended by this Bill to open up the whole scheme with regard to the endowment of Universities, or only to introduce certain clauses which would leave the Senate to deal with the matter hereafter? If it were intended to follow the latter course, he could only say that Parliament would be handing over to the Senate of the University difficulties which were baffling Government and Parliament, and which it eminently baffled Government and Parliament to settle themselves. Parliament was entitled to know the whole policy of Her Majesty's Government, and he hoped the Chancellor of the Exchequer would make what might be called a "clean breast" on this question. At present, the House was not at all acquainted with the scale of endowment which was intended. Nor did they know whether it was proposed that the endowments to be given to the University were to be tenable by students of the Queen's Colleges, which already possessed endowments on their own account—endowments intended for the extension of University Education in Ireland, or whether the endowments to be proposed were to be of the nature of certain Scholarships, available only to those who were non-resident students and who did not belong to any of the Colleges. It seemed to him that the difference between what appeared to be the present proposals of the Government and those which the Leader of the Home Rule Party had announced himself ready to accept had become very small indeed, and that possibly a golden opportunity might thus be afforded for that settlement of the question which, he believed, hon. Gentlemen on both sides of the House most earnestly desired. He could not admit that the Home Rule Party were begging the question, when they said they were ready to accept results fees in addition to an endowment, because that was much less than had been demanded by the Roman Catholics in Ireland on previous occasions. He could not but think that Her Majesty's Government would do well to adopt, with modifications, the suggestion of the Leader of the Home Rule Party. It appeared to him that the difference between the Government and those speaking on behalf of the Irish was now so small that, if there was any desire on both sides to settle the question, an agreement might very soon be arrived at. He was sure that he spoke the views of a great many who sat on that side of the House, when he said that they would not grudge the Government the credit of settling this thorny and difficult question in a satisfactory manner. The only point of difference between the Government and the hon. Member for Cork appeared to be that the Government proposed to pay to the successful student a certain sum of money, whereas the Member for Cork wished that the institution which prepared him should share the fees. But it had already been pointed out that this principle had been accepted by Her

Majesty's Government, and the distinction which had been drawn by the right hon. Gentleman the Chief Secretary for Ireland as to the youth of the students was not one which would hold good. He did not wish, in the present state of the discussion, to give any decided opinion on the Bill; but it appeared to him that the difference was now becoming so small that, with the goodwill of the House, this difficult question might now be settled. The speech of the hon. Member was, he must say, a most moderate one; so moderate, that it must have commended itself not only to those who sat on that side of the House, but also to those who sat opposite. He stated distinctly the sense in which he wished his Amendment to be supported. He must say that the course of the Government, in amplifying their own Bill, showed that the hon. Member was perfectly justified in putting his Amendment on the Paper. Under the circumstances, he should feel it his duty to support the Amendment of the hon. Member; and if that was negatived, he should hope that the Bill might be so amended as to bring about a settlement of this thorny and difficult question.

THE CHANCELLOR OF THE EXCHEQUER: Although I cannot say that the result of this evening's discussion is to leave us in perfect harmony with regard to all the difficult points of this question, yet I think I may fairly congratulate the House on the tone and spirit in which the discussion has been carried on, and the evident desire that has been manifested in all parts of the House to consider this question in a fair and reasonable spirit, and, above all things, the desire to arrive at a practical and useful settlement in which we shall regard much more the object to be attained than the credit which may belong to particular persons in advancing towards it. I am sure that this is the spirit in which a question like that now under consideration ought to be approached. No doubt, there have been for many years attempts made by different persons in different senses, all of which attempts I am willing to believe were made in the most thoroughly honest spirit and with a full desire to arrive at practical results; and I hope that we are now prepared not to go back more than is needful on old sores, but that we are desirous to arrive at a practical settlement. I am asked, in the first place—and that is the question which I ought first to attend to—to explain what is the precise proposition which the Government, as has been indicated by my right hon. Friend the Chief Secretary for Ireland, desire to make in Committee on this Bill. There are several points on which I should wish to say a few words; but after the direct appeal which has been made to me by the right hon. Gentleman (Mr. Goschen) who has just sat down, I ought explicitly to state what our proposal is. In the first place, I must take exception to what the right hon. Gentleman said with regard to this being a proposal which had no foreshadowing in the discussions on this Bill "elsewhere." The right hon. Gentleman referred in such terms to those debates that it is necessary for me to quote a few words that were used by my noble and learned Friend the Lord Chancellor in a discussion on this measure. He said—

> "The London University has a grant made to it annually by the State for that purpose in the Votes of Parliament. For this year you will find that there are several thousands—I cannot remember the precise amount—to be paid to the London University, in order that they may be able to confer Exhibitions, Scholarships, and rewards of that kind upon those who pass examinations satisfactorily. I want to guard myself to show that it is to a state of things of that kind that my observations point. But that is not denominational education. That is a system of open rewards given to all comers capable of winning them, and it is one of the best ways of promoting education. If the University created by the Bill were to come to Parliament next year or the year after, and say that, for the purpose of advancing learning in Ireland, it would be highly desirable that we should arm it with the power to confer Exhibitions and rewards of the same kind—if the University came to Parliament with a demand of that kind, no objection would be taken by Parliament on the ground that it was a grant for denominational education."—[3 *Hansard*, ccxlvii. 1860.]

In those words my noble and learned Friend exactly shadowed forth the views taken by the Government of what was the nature of the proposal we should have to make. We have objected throughout these discussions to anything in the nature of an endowment of a denominational system. We expressed that objection upon the discussion of the Bill of the hon. Member for Roscommon (the O'Conor Don); and it is the objection which we entertain to the endowment of a denominational system that, at the present time, prevents us from coming to an agreement with the hon. Member for Cork County (Mr. Shaw) and with those who desire to introduce proposals which we think would lead to the endowment of a denominational system. Then we had to consider what we could do in this matter. The object of this Bill, as it was explained in "another place," and as it has also been explained by my right hon. Friend to-night, was to remove a grievance, or, as my noble and learned Friend the Lord Chancellor, I think, said, rather to supply a deficiency in the University system of Ireland. That deficiency was occasioned by the fact that there was not in that country a National University at which degrees could be obtained by those who did not belong to certain particular Colleges, and the scope of the Bill was to remedy that defect by providing for the constitution of a University which would give those facilities. That is the particular and the main object of the Bill; but undoubtedly we feel that merely to establish such a University might be considered a very imperfect act, unless we were prepared to furnish the means, which are necessary for the conduct and for the development of a University. My hon. Friend the Member for North-East Lancashire (Mr. Holt) speaking ing on this subject a little while ago and expressing his approval of the course which, in the circumstances, Her Majesty's Government are taking in this Bill, expressed also his hope that we should be prepared to supplement that course by making a grant, and, as he said, a liberal grant for prizes and Exhibitions, and for other purposes connected with the University. Now, the proposal which we intend to make is this. It was, I thought, sufficiently indicated by the remarks of my right hon. Friend the Chief Secretary for Ireland, when he introduced the Bill this evening; but as those remarks do not appear to have been fully understood I will endeavour to make them still clearer. It is intended to propose in Committee on this Bill a clause, which clause my right hon. Friend will place on the Paper to-morrow, and which I think he stated would be to a certain effect, though he could not at the moment bind himself to the precise words, because they required legal revision. But the nature of the proposal is that there shall be in this Bill a clause which shall declare that it shall be the duty of the Senate, within 12 months after their first appointment, to prepare a scheme for the better advancement of University Education in Ireland by the provision of buildings, including examination rooms and a library, in connection with the University to be founded under this Act, and by the establishment of Exhibitions, Scholarships, Fellowships, and other prizes, or any of such matters in which scheme the following conditions shall be observed:—

> "First, that the said several prizes shall be awarded for proficiency in subjects of secular education, and not in respect of any subject of religious instruction. Secondly, that they shall be open to all students matriculating or who have matriculated in the said University, and the scheme may propose that they shall be awarded in respect of either relative or absolute proficiency."

I call the attention of the hon. and gallant Member for Galway (Major Nolan) to these expressions—

> "Thirdly, in fixing the value and number of the said several prizes, the Senate shall have regard to the advantages of a similar kind offered by the University of Dublin and Trinity College, Dublin, to students in that University, so as to avoid, as far as possible, injury to the advancement of learning in that University and College. Fourthly, that provision shall be made that no student holding any Scholarship or similar prize in Trinity College, Dublin, or in the Queen's Colleges, shall hold any prize or Scholarship in the new University founded under this Act without taking such other Scholarship or other prize into account."

That is the nature, generally speaking, of the proposal which is to be made. [Mr. FAWCETT: What is meant by relative and absolute proficiency?] I think the hon. Gentleman will see that relative proficiency means superiority in a competitive examination, while absolute proficiency is rather in the nature of coming up to a test standard. That is a proposal which, as the House will see, is made with reference to the duties that the Senate will perform; and directions will be given to it when constituted to prepare such a scheme. But it will be clearly understood that the scheme will be of no effect whatever unless it is accepted, and unless the funds to carry it out are provided by Parliament. Therefore, we are not liable to the charge which the right hon. Gentleman the Member for the City of London (Mr. Goschen) suggested that we might be liable to of throwing on the Senate that which the House ought rather to undertake to deal with; but we provide that a scheme of an academical character, and which must be framed with a due regard to academical considerations, shall, in the first instance, be elaborated by an academical body, in the quiet of its own apartments, and then submitted for approval to Parliament in order that provision may be made for giving effect to it. Having, I hope, now explained at all events, what the view of the Government is, our conduct will, I think, be seen to have been entirely consistent in this matter. I do not know whether there is any further explanation that may be asked for; but I shall be most ready to give any that can be desired.

MR. GOSCHEN: Why was not that introduced when the Bill was before the House of Lords?

THE CHANCELLOR OF THE EXCHEQUER: I have said already that in the discussions in the House of Lords the Lord Chancellor did state what the views of the Government were. But I must remind the House of what has been the position which the Government has taken in the matter from the commencement of the Session. In the beginning of the Session, and before it began, there is no doubt that the subject of University Education occupied the attention of the Government both here and in Ireland, and that it was a question for us whether we should or should not deal with that subject in the present Session. We communicated, and we considered, and we discussed the question, among ourselves; but we came to the conclusion that we would not undertake to bring in a Bill this Session; and among the reasons which we gave for not bringing in a Bill, one—and it was a very important one—was this. That we had last year established a new system with regard to Intermediate Education, and we were anxious to wait until we had seen how that new system worked before we proceeded further in the task of dealing with the higher or University Education. It was in consequence of the action of the hon. Member for Roscommon—the action which he had clearly the most complete right to initiate, but which he had taken without communication with, or without any reference to, the Government—it was in consequence of our being obliged to say "Aye" or "No" to his proposals, that we felt it impossible to say "Aye," and also impossible to give a simple negative without explaining, to some extent, what we ourselves were prepared to do. What we were prepared to do at once was that which is indicated in the Bill as to its main purpose; and with regard to what might be necessary in respect to grants which might be made hereafter, it appeared to us that it would be the best course to leave that matter to be dealt with when the Senate was constituted. That was the reason why, in the original Bill, as introduced into the House of Lords, nothing was said about the prizes and Exhibitions, and other grants, because we thought all that would be best left to the Senate when it was constituted and brought into operation. That was the view the Lord Chancellor had when he made those observations. But we have since thought that, in order to prevent misunderstanding, and to show clearly what the whole mind of the Government was, it would be better that instructions to the Senate should be put into the Act of Parliament of such a nature as to indicate what was the line in which the Government and the Legislature wished the Senate to proceed. Their action, as I have said before, will not be final, but will be the subject to the decision of Parliament; and I hope the result of this will be that we may arrive at something of a satisfactory character. I would say a very few words on a point which has naturally been raised by some few of those who have expressed themselves in an unfavourable manner towards this Biil. I say some few, because, although it has been more or less critical upon the conduct of the Government, and although some Members have expressed their dissatisfaction at the Bill not going further, yet the general tenour of the debate has been in favour of a measure something like this. But we have had from the hon. Member for Liskeard (Mr. Courtney) a distinct challenge. That hon. Member took us to task, and said—"Why do you want a Bill at all? Why are you not satisfied with the University as it now exists? You have a most excellent University in the Queen's University, and most efficient institutions in the Queen's Colleges. They are doing the work which they were set to do, and there is no reason in the world why the people of Ireland should not be content with them. And if there is any want of satisfaction, if in any respect these institutions do not give perfect satisfaction," adds the hon. Gentleman, "I am a member of the Senate of the University of London, and we are ready to supply all deficiencies." Well, the hon. Member, of course, comes forward as, to a certain extent, a competing tradesman, if I might use the expression, and he offers to the people of Ireland his wares, in case they they are not pleased with those they now have.

Mr. COURTNEY: I never said I was a member of the Senate of London University.

The CHANCELLOR of the EXCHEQUER: I beg pardon; the hon. Gentleman is an Examiner of that University. He spoke with some sensitiveness, I think, with regard to the proposed new University; because he said that the London University can do what is required, and he complained that this new University would be a competitor with the London University. I do not all blame the hon. Member for speaking up for the London University. It is a most admirable institution, and one that cannot be spoken of with too much praise. But I must say that I feel a little sympathy with those Irish Gentlemen who say that, good as the London University may be as a stopgap, they would much prefer to have a University of their own. The hon. Gentleman says that the Irish people ought to be content with the University they have. I will not enter into that question. Perhaps they ought; but, as a matter of fact, they are not. The case is one in which nobody knows where the shoe pinches so well as the wearer of it. And as for the hon. Gentleman saying, "I am sure the shoe cannot hurt you, because it is exceedingly well made," that is not an answer to the observations made from the other side. And, moreover, the authority of statesmen of all Parties, as well as that of the Irish people themselves, is against the hon. Gentleman, because we have for years found statesmen of every Party and every shade of political opinion coming forward and saying there is no doubt that a need of this kind exists. Therefore, I think, we may set that aside. It is not necessary to go minutely into questions of statistics. These have been given over and over again. I think we may assume that, with the exception of the hon. Member for Liskeard, everybody is of opinion that there is room for improvement in the Irish University system. Well, granting that that is so, we are met with another question—"Why do you propose to dissolve the present Queen's University? Why not expand it?" I quite admit there is something to be said on that point—I do not at all disregard—I honour—the sentiment of honourable jealousy which animates those who have been educated at that University, and who are reluctant to see it apparently set aside. But we have to consider the object which we desire to accomplish—to provide for the deficiency in Irish University training. When Sir Robert Peel established the Queen's University he had not the experience we have gained by the great development of the London University since those days. That great development of the London University has shown what might be done by the expansion of the Queen's University. But since its establishment the Queen's University has acquired a certain character of its own; and, moreover, there is that connection between the Queen's University and the Queen's Colleges which renders it exceedingly difficult to expand the Queen's University without appearing to maintain a system which a large portion of the Irish people declare to be unsatisfactory. If you want to establish an Examining University, such as is now proposed, and to put the Queen's Colleges upon an even footing with other institutions, I think you gain a great deal by dissolving the existing University and making a new departure. If a mere expansion of the existing University took place, new institutions would come in, so to speak, on a secondary footing. Then we are asked—"Why are you going to endow"—as the expression is, though we do not use it—"Why are you going to endow by annual Votes, and not out of the Church Surplus?" Of course, there is a great temptation to endow out of a fund like the Church Surplus, and to put the matter quietly out of the control of Parliament. But that is exactly what we think ought not to be done, and what we understand Parliament would not assent to. We have, no doubt, done it in the case of Intermediate Education; and I think, on the whole, we were justified in making the experiment. But the House will feel, considering the thorny nature of the subject, that there is much more delicacy in dealing with a great University Question than with a system of Intermediate Education; and although we not like annual wrangle, we think the new system ought to be brought under the annual review of Parliament until, at least, it has taken root. It would, no doubt, be a great relief to get rid of these annual Votes for education, and; perhaps, even the learned Bodies concerned would benefit by it. But that time has not yet arrived. We do not hold out the idea of any sectarian endowment; but we agree that some means should be adopted to secure for the Irish people the advantages in the matter of a University which they do not now feel themselves able to obtain. We hope that the Bill may be accepted in the spirit in which it is presented; and we are very much encouraged by the mode in which the proposition has been made, and by the language that has been used in all quarters, and which, though not always in perfect agreement with us, has, nevertheless, been on the whole of a sympathetic character. I trust this may be the beginning of a settlement, which may be of the greatest utility to our friends in the sister country. We hope and believe that a proposal which is made in the full faith that if it is fairly worked it will accomplish great good, even if not the whole of the good that some may expect—we sincerely hope and believe that if that proposal is accepted in the spirit in which it is made it will be one which will confer real, great, and lasting benefits both on Ireland, and, I trust, also on this country.

MR. GLADSTONE: I entirely share the general desire of this House that these discussions should be so conducted as in no way to impair whatever chance or prospect there may be that the present Bill may be made the basis of settlement of a very difficult question. But the course of proceedings with regard to it on the part of the Government has been, I think, so important, and has produced, also, so unusual and so important a bearing upon the Forms of this House, and the Rules of this House, that are so essential to the character and conduct of its Business, that I cannot help making it the subject of notice. I shall endeavour to do so as in no way to prejudice the general discussion. I must say, however, at least, that I heard with surprise, and especially I heard with surprise for the first time in my life, a responsible Member of the Government and a Departmental Minister, propose to-night the second reading of a Government Bill closing his speech by expressing a hope that Members would not consider this an opportunity for questioning any principle. ["No, no!"] Well, those were the words used by the right hon. Gentleman. Now, the right hon. Gentleman must be perfectly well aware that the second reading of a Bill——

MR. J. LOWTHER: I referred to dividing against the Bill.

MR. GLADSTONE: But the right hon. Gentleman did not use the words, "divide against the Bill." He used the words, "questioning any principle of the Bill." Does the right hon. Gentleman disclaim the words?

MR. J. LOWTHER: What I meant to say was, that I hoped the hon. Gentleman who moved the Amendment would not think this was an opportunity which would justify him in challenging the principle of the Bill.

MR. GLADSTONE: That is an amendment of the words; but, still, it seems to me an extraordinary invitation to address to any hon. Member, because the second reading of a Bill is the precise opportunity presented by the Rules of the House for accepting or challenging the principle of the Bill. I am bound, however, to say, though I cannot approve, I can perfectly understand the singular attitude of the right hon. Gentleman, and which I think is the reason that lay at the bottom of it. The reason is this—he has in his hands, and he is asking the House now to give a second reading to one Bill; whereas he has in his mind, as we all know from the Chancellor of the Exchequer, the most important portion of the provisions which really point to another thing. The Government Bill which is now proposed for second reading is a totally different measure from that which we are asked to discuss in Committee. I put the points to this test—supposing that my hon. Friend the Member for Roscommon (the O'Conor Don), or my hon. Friend the Member for Hackney (Mr. Fawcett)—I am not now quoting them with reference to the opinions of this or that Gentleman, or any particular Gentleman—had brought a Bill into this House to constitute an Examining Board in Ireland, and on the second reading had said he would not be himself loth to see introduced, or he would himself propose to introduce, in the Committee provisions for enabling the Senate of a University to present to Parliament, with its official authority, a complete scheme of endowment for certain purposes, I am quite sure, from all I have seen of the practice of this House, he would have been met on all sides with the observation—"The Bill which you are now shadowing forth to us may be good or bad; but it is a different Bill from that which you have laid on the Table. Your proper course is to withdraw the Bill you have laid on the Table, and present to us for second reading a Bill which you really mean us to discuss." It has just been said by the Chancellor of the Exchequer that there was an indication in "another place" of something of this kind. Now, I have some information, which I remember well, on that subject, and it is this—that considerable efforts were made, at a period corresponding to that which we have now reached, to draw forth the intentions of the Government on the subject; that these efforts ended in entire failure, and that the expression used was that the Bill expressed the present intention of the Government. The words which were used, and which have now been quoted by the Chancellor of the Exchequer, are extremely vague words, and I think I am right in stating that they were not words used either on the introduction or on the second reading of the Bill. Therefore, Sir, the House of Lords was asked to examine a Bill totally different in its conditions from the Bill now shadowed forth by the clause of the Chancellor of the Exchequer. I am entirely at a loss to know why that clause should not have been made known to the House of Lords. I apprehend it is in no sense a clause such as the House of Lords could have no power to entertain. On the other hand, I think it a most unfortunate thing that a tolerably accurate acquaintance with the views and intentions of the Government should not be obtained at the time when a Bill is originally introduced to Parliament by a responsible Minister—the House of Lords should not even have before it the Bill which is presented to us in the House of Commons, or even the official statement with which it is submitted to us, and by which we first become aware of the real value of what is intended, at the close of the debate on the second reading. I feel it quite necessary to offer this protest against this mode of proceeding, because I am quite sure if it were allowed to pass as a precedent without such a protest—if the Government, who ought always to be watched more strictly in regard to these matters even than private Members, on account of the great power and influence they possess over the proceedings of the House—if they were to make a principle of this manner of making known in debate in the House of Commons a complete transformance in their measures, the consequence would be to throw into total confusion the Business of the House, and to make some of its most important Rules perfectly useless. These observations, however, are devoted entirely to the method of procedure which has been adopted; and I, for one, am quite prepared to say that I will not desire, on this occasion, so to use any regulation connected with the mode of procedure as to impede the progress of this Bill, or to diminish its chances of success. There are a number of important points raised in the measure, three of which I will endeavour to discuss. First, it is intended to make over to the Senate the initiative, the whole scheme of—what shall I say? —the endowment?—the dotation?—the subvention? I do not want to raise a question on the form of the word. Secondly, it is intended that that subvention shall be given by an annual Vote; and, thirdly, it is intended, as indeed is implied in what I have said, that no recourse shall be had to the fund of the Established Church Surplus. All this must appear to me to be matter which calls for a good deal of discussion. I have some doubt as to the principle of the present division, and whether the Bill ought to make over any such right of initiative; and I have a still greater doubt whether it is wise to leave that scheme to the annual discussion of Parliament, and the chances there may be that passion, prejudice, and Party interest may gather round it. I think, as the Chancellor of the Exchequer says, it may be long before the institutions of this University have completely entered into the habits and feeling of the country so as to conform to its general views. But I must say, if there is any general class of institutions in the whole circle of our institutions which it is desirable to exempt from the influence of another discussion in Parliament the class of institutions is the one we know by the name of a University. Something like solidity, something tranquil, something like freedom from the waves of passion and Party interest is absolutely necessary to enable these institutions to conduct their work with freedom. However, these are matters which may be discussed in Committee, and that, no doubt, will be the proper place for discussion. I shall vote without any difficulty with my hon. Friend the Member for Cork (Mr. Shaw). It appears to me that this subvention ought to go beyond that which has been described by my right hon. Friend the Chancellor of the Exchequer in the clause which he has read. I do not intend at present to attempt to give any special construction to the Motion of my hon. Friend, for which I am prepared to vote. He has put his own construction; but that construction is not so expressed in the Motion as to make it binding upon our consciences or understanding; and there is, as I think he will be quite prepared to admit, and as we have seen in the speech of the hon. Member for Roscommon (the O'Conor Don), room for a considerable variety of opinions as to the precise form in which it may be right to make the pecuniary aid of Parliament contributory to the advancement of a superior education in Colleges in Ireland. That liberty of opinion I wish to reserve on my own part. That with which I agree is a sentiment which he has declared. I should be very sorry indeed to take the responsibility upon myself, having failed in an attempt to settle this great question, to introduce any obstacle in the way of those who are making an endeavour to settle it. The rule which I wish to take for my own guidance is this—this is pre-eminently an Irish question, and I do not wish, unless driven by some high consideration of Imperial policy, to separate myself in such a matter from those who represent the general and well-considered feelings of Ireland. Moreover, I will not lightly, or without good reason, nor without much consideration, and then only with reluctance, determine, if I find I am compelled, so to separate my path from theirs. This is their question more than it is ours. They have made, and are making, the most intelligent and conciliatory efforts to arrive at some settlement. It is my duty and business to co-operate with them as far as I can, and as far as I see, and that co-operation I cheerfully offer. Undoubtedly, one thing I could not do; having been myself a party to larger efforts and proposals than are contained in the Bill before the House, I could not be a party to forcing upon Ireland the acceptance of a Bill which I believe in itself to be inadequate. That, Sir, is a principle which I shall endeavour to be governed by in all future proceedings in this matter. And it will be to me, as it will be to them, and to all Members of this House, a sincere satisfaction if, out of an imperfect administrative proposal which is now on the Table, and in the shape of a printed Bill, such a measure can be framed as shall tend to give to Ireland the fulfilment of her highest expectations on a question of that vital importance.

MR. SULLIVAN: Sir, under no ordinary circumstances would I rise at a moment like this, at an hour so far advanced, and when many hon. Members regard the debate as closed. Yet I do appeal, as I never did before, to be allowed to speak what I feel must be spoken, at all hazards, before this Division, in justice to myself, in justice to the House, and in justice to the people I represent. It is hard on me to interrupt the flow of amiable felicitations by a jarring note of unpleasant truth; but there is something I value beyond the applause of these Benches, and that is my own character for truthfulness and honest dealing, and I should be deficient in each if I allowed you to act under the impression, which seems to prevail on all sides, that with this Bill you are happily going to satisfy and settle the Irish University Question. The remarkably conciliatory tone and substance of the speech delivered by my hon. Friend the Member for Cork County (Mr. Shaw), and the extremely moderate proposals he made to the Government may, perhaps, induce the Government and the House to think that because he spoke in such a moderate and conciliatory tone, he places, or we place, but a small value on the demands he made. Let no one suppose that my hon. Friend attaches but a slight importance to the suggestion he has made; because the fact and truth is, if the Government are not in a position to accept the proposal of the hon. Member for Cork, this Bill will not be acceptable to the people of Ireland, and will not even temporarily settle the Irish University Question. I would ask the House to avoid self-delusion, and consequent waste of effort. What is it that is demanded and required? The Catholics of Ireland require and demand a University to which they may send their sons for Collegiate training and University Education without violence to their conscientious convictions. No one else in Ireland is asking you for change, because you have already, nay, long ago, satisfied all others. If, then, this Bill does not meet the necessity of the Irish Catholics, and liquidate their demands, there is no reason for the Bill at all, and you are simply wasting your time. ["Oh!"] Well, just answer to yourselves candidly the question—Does this Bill give the Irish Catholics University Education as acceptable to them and as consonant with their conscientious convictions as Trinity College is to the Irish Protestants, or the Queen's Colleges are to the Irish secularists? This proposal of the Government is simply a sort of London University, with a few money prizes tacked on as a bait to the youth of Ireland. Setting up an Examining Board is not what we have asked. Would the men of your Oxford, or our Protestant Trinity, exchange their University for an Examining Board? I do not want to unfairly disparage the London University. In this matter of University Education I am liberal enough to recognize, and freely concede, that in a country possessed of what I call genuine Universities, one like this may be found exceedingly useful for young men whose circumstances preclude them from a course in Collegiate life. But to say that this shall be the best, the first, last, and only University acceptable to the Irish Catholics, is not meeting their demands and necessities. You are, in fact, delivering us over to mere "pass" learning. This is the enthronement of "cram." You may distribute amongst the youth of our Diocesan Seminaries a few hundreds of pounds in prizes; but you are going to destroy in us for ever all hope of possessing a genuine University—a great central, National Institution—in which the youth of Catholic Ireland might enjoy the advantages of an academic life and training. But you claim that this Bill will establish equality—that its prizes and rewards will be fairly and equally open to all comers, without advantage or favour to one class more than another. But is this so? No, nothing of the kind. Inequality and injustice are never more reprehensible than when they clothe themselves, as in this Bill, in the garb of equality and justice. No, you do not deal out fair play. On the contrary, this Bill perpetuates in its worst and most offensive form the inequality and partiality of which we complain. For you retain to the Queen's Colleges all their endowments out of the public funds, and you propose that the students, whom you thus educationally feed and equip and train at the public expense, shall compete in the race against these towards whose training or equipment you refuse to vote a farthing. And this is what you are pleased to call equality and fair play. The intellectual requirements of a small section of our population are, forsooth, to be lavishly provided for, while those of the great bulk of the nation must be met at their own expense! This is a state of affairs with which the Irish Catholics will never be content—never! ["Oh!"] No doubt, we hear to-night some capitulating voices; and far be it from me to blame too severely men who dread to sacrifice, as they view it, a certain present measure of good for the sake of a future they despair of. I consider for their difficulty; but it is their faint-heartedness. I would remind them that long before 1829 the Catholics of Ireland might have had large instalments of Catholic Emancipation, which they refused to accept, though many of their friends and advocates thought these were valuable and substantial concessions. But I am not for rejecting any instalment, if it does not in itself perpetrate an injustice upon us, and prejudice our indefeasible right and claim. I only want it to be on record that you were honestly warned, and frankly and fairly told to-night, that this Government Bill, as it now stands, will not and cannot settle the question. You but put it off a year or two. It will return, as of old, to plague you here. I know that even some of my own Friends think we ought not to say this now, but let you think you are going to make an end of your difficulty. I cannot lend myself to such tactics. I tell you, honestly, we Irish Catholics must have equality, and mean to be content with nothing less. I say, moreover, I cannot allow this question to be let down to the low level of a paltry squabble about a few pounds for school prizes. No; there is, in my conception, something higher, and grander, and nobler, in the object before us than this; and I, for one, will be no party to closing the future upon the youth of Ireland, or selling away their birthright, to buy for ourselves a petty and transient ease. The object of our hopes, our demands, is that we, Irish Catholics, may possess ourselves of, and hand down to our children, a National University, around which their associations may twine, in the halls of which their ambitions may be elevated, and to which, as to a genuine Alma Mater, they may always look back in after life with reverence, affection, and pride.

SIR JOSEPH M'KENNA hoped neither the right hon. Gentleman (Mr. Gladstone), who immediately preceded the hon. and learned Member for Louth (Mr. Sullivan), nor any other Member on either side of the House, would imagine that the hon. and learned Member for Louth was entitled to speak on behalf of Ireland in this debate, or to pronounce more than his own views. He (Sir Joseph M'Kenna) would only speak for himself on the subject; but he would do so frankly. He could not regard the Bill now before the House, or the proposed new clauses, as a full compliance with their demands; they did not even purport to be so; but he, nevertheless, considered the Bill, with the Amendments foreshadowed for Committee, as an honest effort and a significant step on the part of the Government to settle the question; and, in the same spirit, he would thank the right hon. Gentleman the Member for Greenwich for the speech he had delivered, and for the intimation he had given them that if they divided on the question now before the House he would be found voting with the Irish Members. This was an important announcement; for the right hon. Gentleman, some years ago, introduced a measure with the same object in view as the Bill now before the House—namely, with, as he (Sir Joseph M'Kenna) believed, an honest desire to settle the question for the time, within such limits of power—and they were not always very extensive—as a Minister or a Cabinet could exercise over Parliament. The right hon. Gentleman was not then met in a considerate spirit. He (Sir Joseph M'Kenna) was not mixed up with the educational polemics of those days, and, therefore, could speak his opinion freely; but he regarded the circumstances at present as analogous to those at the time when the right hon. Member for Greenwich brought forward his project of a Supplementary Charter, and he hoped that a similar mistake would not be now made by setting proposals at naught which were, at least, well-meant, and capable of development and improvement. The hon. and learned Member for Louth (Mr. Sullivan) had taken upon himself to interpret the sense in which the Irish Members were to accept the speech of the hon. Member for Cork (Mr. Shaw); but he had no warrant for expounding it, any more than he (Sir Joseph M'Kenna) had. If the hon. Member for Cork called for a Division, of course, they would all follow him into the Division Lobby; and he apprehended, when that was done, they would, *en masse*, subsequently vote for the second reading of the Bill. That the hon. and learned Member for Louth had no warrant to speak on behalf of the Irish Members was a fact which might easily have been gathered by an attentive listener. To his speech, and to those cheers which greeted its most salient passages, he (Sir Joseph M'Kenna) was an attentive listener. The voice that spoke was that of the hon. and learned Member for Louth, and the cheers were those of the hon. Member for Liskeard (Mr. Courtney).

Question put.

The House *divided*:—Ayes 257; Noes 90: Majority 167.—(Div. List, No. 192.)

Main Question proposed, "That the Bill be now read a second time."

MAJOR NOLAN wished to express his sentiments with regard to the Bill. He was in the position of a man playing a game of cards whose cards were turned down, and who did not know what they might be. He felt himself exactly in that position, and would not take any part in the Division on the second reading, because he should not know what he was voting for. On the third reading he would probably be better informed. He might say that he had reason to believe that there were a good many other hon. Members who entertained the same feelings as himself with regard to the matter; they did not know whether they would be doing right or wrong in voting for the second reading of the Bill.

Mr. MITCHELL HENRY said, that he would certainly vote for the second reading of the Bill; but he did so with the clear conviction upon his own mind that the only object of the proposal of the Government was to adjourn the consideration of that question for another 12 months. His reason for that opinion was, that a Bill was really to be framed by a Senate of 36, who were charged to prepare a scheme within 12 months. What would be the result of that? To his mind, it would be impossible to find in Ireland a Senate nominated by the Government, which would, within 12 months, hit upon a scheme which would be satisfactory to those who entertained the same views as the hon. Member for Cork, and to all other hon. Members who entertained different views. The result would be that when a scheme of that kind was drawn up it would be submitted to the Government 12 months hence; but the Bill itself could not be brought into operation during the present Parliament. The whole result of the proceeding, which he looked upon as one of the most adroit proceedings that had ever distinguished the reign of an adroit Government, would be that the question would really and truly be adjourned until after the General Election. In the meantime, the Government would reap the advantage of having taken steps to meet the views of the Irish people. It was not to be taken that he objected to the second reading of the Bill; but he begged to say that Irish Members could see as far into a millstone as others.

Sir WILFRID LAWSON rose for the purpose, not of making a speech, but of proposing a Motion. The hon. and gallant Member for Galway (Major Nolan) had said that he did not understand the Bill, and he thought a good many other hon. Members were of the same opinion. He did not remember, in the whole course of his Parliamentary experience, ever having seen the House so mystified and obfuscated. The Government, in bringing the Bill from the House of Lords, had really brought in a completely new Bill. That being the case, he did not think that they ought to be called upon to decide upon the merits of the Bill at that time. They knew nothing about it—the country knew nothing about it—and, under those circumstances, he felt himself justified in moving that the debate be now adjourned.

Mr. EVANS had pleasure in seconding the Motion, and he should like the attention of the House for a few moments while he explained his reasons for doing so, as that was only the second or third time that he had ever had anything to do with moving the adjournment of the debate. In the last Division he voted with the Government, because he did not approve of the Amendment moved by the hon. Member for Cork; but he did agree with what had been said by the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) and the hon. and gallant Member for Galway. He thought that the House had not been fairly treated by the Government on that question; the Government were a long time before they made up their minds whether they should introduce a Bill, and now they had done so they had left the House very much in the dark as to what they intended to do. Up to 11 o'clock, when the right hon. Gentleman the Chancellor of the Exchequer made his speech, he did not know what the provisions of the measure were that the Government had brought forward. The whole Bill seemed to him to turn upon a clause the substance of which the Chancellor of the Exchequer proposed to introduce in Committee. He did not consider that that was the way in which the House of Commons ought to be treated, and he really could not form any opinion as to the way in which he ought to vote upon the question of the second reading. He had not been able to make himself sufficiently master of the proposals of the Bill in the state in which it now was—he said that with perfect sincerity, and not with any desire to cause obstruction, and he was sure that hon. Members would admit that he did not cause obstruction in that House. His reason for seconding the Motion was solely that hon. Members were not sufficiently informed upon the merits of the Bill to be able to vote upon it.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Sir Wilfrid Lawson.*)

Mr. COGAN could not allow the debate to conclude without giving expression to his opinion with regard to the measure. Some of the speeches that had been made by certain Irish Members, and more especially by the hon. Member for Galway Borough (Dr. Ward), and by the hon. Member for Youghal (Sir Joseph M'Kenna), compelled him, in rising, to say that he could not agree with the criticisms that had been passed upon the Bill by them. If it were not calculated to increase the advantages of Collegiate Education in Ireland, he believed that the measure would leave the question in as unsatisfactory a state as ever. For his own part, he sincerely felt that the most important part of University training was the Collegiate life; and he did not think that any proper solution of the University Question in Ireland could be arrived at by the institution of an examining University as was provided by this Bill. To such a University there would be affiliated, on the one hand, a number of endowed Colleges; while, on the other, it would have a number of Colleges supplying its students which possessed no endowments whatever. The students from the Colleges without endowments could not enter into a fair competition for University honours with those who came from richly-endowed Colleges with large staffs of Professors, and libraries, and all the appliances of education. He did not think that a measure which would promote a state of things of that character would be satisfactory; and he could not, therefore, allow the debate to conclude without expressing his entire disapprobation of the Bill, which, in his opinion, would be fatal to the hopes of future Collegiate life for Irish Catholics, and would leave to scattered and small seminaries intermediate schools, and private crammers to provide University scholars instead of having them trained in a great College.

SIR GEORGE CAMPBELL said, that last year the House had passed an Intermediate Education Bill for Ireland. Some hon. Members did not like that measure. It seemed to him that they should not be asked to pass the present Bill in a hurry. It was only a reasonable proposal, as the Bill had been sprung upon them, that they should be allowed time to consider it.

MR. SHAW hoped that the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) would not press his Motion. It would be quite impossible, at that period of the Session, to press on the Bill, if the debate on the second reading was adjourned. The proper time for discussion would be on the Motion for going in Committee, when the House would be in possession of the Amendments of the Government.

THE CHANCELLOR OF THE EXCHEQUER said, that when the Bill had been read a second time the Government then proposed to put upon the Paper a clause which he had already described. They did not propose to take the Committee for some little time, in order to give hon. Members opportunity to consider the proposals. He could not name any particular day at the present moment; but he would promise that sufficient time should be allowed for the consideration of the clause.

MR. FAWCETT was sure that the hon. Baronet the Member for Carlisle would not unnecessarily put the House to the trouble of a Division. They did not want to put any unnecessary impediment in the way of the conduct of Public Business by the Government; but he was sure that the right hon. Gentleman the Chancellor of the Exchequer would feel, with his usual fairness, that they had been placed in a somewhat awkward position by the course taken with regard to the Bill. The practical difficulty which they felt was not that the Bill was a new one, but that, without any notice, the Bill had been materially changed in its character. There were two points upon which they thought they could freely claim to have further information before accepting the principle of the Bill. Upon those two important points they had had no information at all; but if that information were given them, he should suggest that the hon. Member for Carlisle should not put the House to the trouble of a Division. The points were—first, were they distinctly to understand that the Government did not propose in any way to make it a teaching University? The second was this—as he understood it, the new University was to be constituted mainly from a scheme to be prepared. He thought they had a right to know something of what would be the character of the new University. The right hon. Gentleman the Chancellor of the Exchequer had not a word of objection to allege against the existing Queen's University; but he considered it was necessary to substitute another University in the place of that institution. Could he give the House any assurance that a certain proportion of the members of the Senate of the existing University would be appointed members of the Senate of the new University? That was not an unreasonable request, for, in the first place, it would be unfair to interfere with men who had been doing good work, and men with whom no fault could be found; and, secondly, it would only be right to give the House an assurance that a proportion of them would be appointed to the new University. He thought the House was entitled to some assurance or to some guarantee as to the character of the proposed University; and as they knew the character of the Senate of the present University, it would give them some assurance of the character of the new University, which was to have the administration of so large an amount of public money, if they knew that a number of those gentlemen were to be upon the Senate.

Sir JOSEPH M'KENNA trusted the information asked for by the hon. Member for Hackney (Mr. Fawcett) would not be given on a Motion for adjournment, but at a time when the House would have an opportunity of entering into a discussion of the points raised.

Mr. BIGGAR hoped the hon. Member for Carlisle (Sir Wilfrid Lawson) would not withdraw his Motion for adjournment. The Government Bill was really worthless as a means of settling the Education Question in Ireland; while as it was equally clear that it could not pass this Session the time of the House would be wasted by further discussion. If the Motion for the adjournment of the debate should be carried to a Division and negatived, he trusted some hon. Member might move—"That the House do now adjourn." He thoroughly coincided with the view expressed by the right hon. Member for Kildare (Mr. Cogan) that the Bill was most unsatisfactory.

Mr. W. E. FORSTER felt, with his hon. Friend the Member for Hackney (Mr. Fawcett), that the Government had placed the House in a very difficult position by asking them to give a second reading to a Bill, concerning which they appeared to have no settled opinion, and the House knew nothing. It had, however, been stated that a clause would be in the hands of hon. Members to-morrow, which would give some information upon the matter. Now, if the Bill had been brought forward at the beginning of the Session, he thought that an adjournment of the debate might fairly have been asked for; but the House must remember that the question which it dealt with was one that they all wished to get settled, and that there appeared to be a possibility that some settlement might be arrived at this Session, in spite of the exceedingly remarkable manner in which the Bill had been brought forward by the Government. Take the views of hon. Members for Ireland; they were in favour of the second reading of the Bill. It was impossible to disregard the opinion and wish of the hon. Member for Galway (Mr. Mitchell Henry) in this respect, who had brought forward his objection to the Bill as it stood, nor that of the hon. Member for Cork County (Mr. Shaw), who had embodied his objections in an Amendment, but had, at the same time, said—"If that Amendment is not assented to by the House, I hope I may get something corresponding to it in Committee." The hon. Member held out an opinion that the Bill might, in Committee, be so dealt with as to make it a satisfactory settlement of this question. With the exception of the hon. Member for Cavan (Mr. Biggar), he thought that most hon. Members for Ireland agreed with that opinion. That being so, it became a serious responsibility upon hon. Members to vote for the adjournment of the debate; for if that Motion were assented to, or if the prospect held out to the House by the hon. Member for Cavan were realized—that if it were negatived it would be impossible to come to a decision that night—he (Mr. W. E. Forster) gathered that the result would be the shelving of the question altogether. That result was one which, in his opinion, the House ought not to contemplate with satisfaction. Nevertheless, he thought all hon. Members had a right to say—"If we assent to the second reading of the Bill to-night, it is in order to give the Government an opportunity of saying what they really mean to bring before the House; but, in doing so, we do not pledge ourselves to the acceptance of any principle whatever." He would not be tempted into dwelling upon the extraordinary position in which the Government had placed the House; but expressed a hope that hon. Members would assist the Government in their endeavour to get the Bill into Committee, with the object of finding out what it was like, and in the hope that it would prove to be a settlement of the question. For these reasons, he trusted that the hon. Member for Carlisle would not press his Motion.

MR. COURTNEY said, the House had heard from the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), only a short time ago, an expression of astonishment that the Chief Secretary for Ireland should expect them to read the Bill a second time without questioning the principles which it involved. The right hon. Gentleman the Member for Bradford (Mr. W. E. Forster) had just said that they could agree to the second reading without pledging themselves to any principle whatever. How, therefore, those two right hon. Gentlemen were to reconcile their views he was at a loss to understand. The right hon. Gentleman the Member for Bradford wanted to have this question settled; but there was nothing surprising in that, for a great many people wanted a settlement. The right hon. Gentleman urged the hon. Member for Carlisle (Sir Wilfrid Lawson) to withdraw his Motion for the adjournment of the debate because the fag end of the Session had been reached and the question ought to be settled. Of course, it ought to be settled, for a General Election was near at hand. But what had been said by hon. Members from Ireland upon the Motion for adjournment? Why, commenting upon the statement elicited from the right hon. Gentleman the Chancellor of the Exchequer, that the new University would not be a teaching University, the right hon. Member for Kildare (Mr. Cogan), and the hon. Member for Cavan (Mr. Biggar), had both said that Bill could not be a settlement; and the hon. and learned Member for Louth (Mr. Sullivan) had previously expressed the same opinion. These opinions were surely of some importance. Again, whose fault was it that the House found itself discussing the Irish University Education Bill at the fag end of the Session? It was the fault of hon. Gentlemen who were now supporting the Government. The Government brought in the Bill at the fag end of the Session, and when they wanted to rush it through Parliament the right hon. Gentleman the Member for Bradford came forward to assist them in doing so, however much it might be believed by hon. Members near him that it would not be a settlement. That being the case, the Chancellor of the Exchequer having declined to answer the Questions of the hon. Member for Hackney, and no Member on the opposite side of the House having shown a disposition to reply, he thought the House ought not to assent to the second reading of the Bill. Nor could he agree with the view of the right hon. Gentleman the Member for Bradford that the House should read the Bill a second time on the understanding that in doing so they bound themselves to no principles whatever. He trusted his hon. Friend the Member for Carlisle would adhere to his resolution.

DR. WARD challenged the hon. Member for Liskeard (Mr. Courtney), and other hon. Members who opposed the Bill, to show that the ecclesiastical party in Ireland were not willing to go a long way to meet the Government in this matter. On the contrary, they said that there was very much good in the present measure, and were disposed to regard it in many respects as a fair settlement of the question, and one likely to meet, to a considerable extent, the wishes of the Irish people. He felt that a very serious issue was arrived at when it was found that the education of young men in Ireland was to be sacrificed to the exigencies of Party in the House of Commons; and he warned Irish Members not to join the hon. Member for Liskeard, and others who thought with him, in their endeavours to prevent the second reading of this Bill. The House had heard a great deal about clericalism and sectarianism. Why, the hon. Member for Liskeard was the high priest of non-sectarianism and as such proclaimed—"If you do not believe in my doctrines you are heterodox;" and then, forsooth, he must stand up in the House in the name of liberty. The people of Ireland had been befooled too long over this question of education to the injury of the youth of the country—["Hear, hear!"]—and the hon. and learned Member for Louth, who said "Hear, hear," would befool it a little longer. The hon. and learned Member would support two things. He was an early supporter of the Liberal Opposition of the day, and an apparent supporter of the clerical element in Irish University Education. When Lord Mayo brought down the best Bill upon this question that had ever been introduced, the hon. and learned Member for Louth had said—"We will give you something more." And what did he now expect to get from the hon. Member for Liskeard (Mr. Courtney), and the hon. Member for Hackney (Mr. Fawcett), who were urging on this opposition? The House had to decide whether this Bill was to be killed or not. The hon. Member for Cavan (Mr. Biggar) said it was to be killed; but he would kill any Bill that was ever brought into the House. He (Dr. Ward) reminded hon. Members who lent their assistance to the killing of Bills of this kind that not merely were they doing an injury to the country and to the reputation of the House, but were gravely compromising the just claims and rights of the Irish people. But he asked the hon. Member for Cavan, and other hon. Members who viewed things in the same light as he did, whether a petty reputation built upon mere obstruction, or, indeed, individual reputation of any kind, was to be compared in importance with the education of the youth of Ireland? They had been discussing this question for years, disputing upon words and compromises, while the best part of the Irish youth had been kept waiting for University Education. He believed that if the Bill brought in by Her Majesty's Government were passed, with such modifications as were proposed in good faith, much good would be done to the Irish people.

Mr. SULLIVAN said, the House had just had an illustration of the inconvenience of discussing questions of this kind under present circumstances. The question was one which ought to be discussed in the absence of all heat, and finished, if possible, in the same vein in which it was opened by his hon. Friend the Member for Cork (Mr. Shaw). But the House now found itself in a discussion, not upon the merits of this Bill nor as to whether the debate should be adjourned, but upon the relative merits of the hon. Member for Galway (Dr. Ward), an ex-Queen's College student, and the hon. Member for Cavan (Mr. Biggar). Was the time of some 200 or 300 Members to be wasted in that way, or was the character of the Irish Representatives in the House of Commons to be lowered by the spectacle of two of their number engaged in a personal encounter? He most strongly complained that the House should be asked at the end of the Session, and at that hour of the night, to pass this Bill in a "stand and deliver" sort of way. He need not waste the time of the House by entering upon a detailed reference to his own efforts upon this question; for he believed it was well-known to those around him that, during 20 years, according to his humble opportunities and abilities, he had been the champion of the principles which he had advocated that evening, that, as against both Whig and Tory Administrations, he had held the same line, and that he had defended the right of the youth of Ireland to University Education when the hon. Member for Galway was partaking of the emoluments of the godless system of the Queen's Colleges. It was a thing of every-day occurrence in the religious and moral world to find men trotted out who had undergone conversion; a converted collier would hold forth to-day, and to-morrow somebody else; but it had been reserved for the House of Commons to listen to a converted Queen's College student.

The O'CONOR DON said, he was no great admirer of this Bill, as would appear from the speech he had already made; for he could not think that, confined to its present limit, it was likely to bring about a settlement. Nevertheless, upon a question like the present, he felt that he ought to follow the advice given by the hon. Member for Cork (Mr. Shaw), who had been, by the consent of his Colleagues, representing a large proportion of the Irish Members, selected to express their opinions in the House of Commons, and he thought that if any point existed upon which his opinion was to be taken it was surely upon the question of procedure.

Sir WILFRID LAWSON remarked, that several of his hon. Friends had asked him to withdraw his Motion for the adjournment of the debate; but after what had been said by the right hon. Gentleman the Member for Bradford (Mr. W. E. Forster), that nobody had any principles with regard to this question of Irish Education, he should go to a Division, in order to give time to hon. Members of one Party or another to find out what their principles were.

Question put.

The House *divided*:—Ayes 28; Noes 260: Majority 232.—(Div. List, No. 193.).

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

PUBLIC WORKS LOANS [ADVANCES, &c.].

Considered in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER: When, yesterday, I brought forward the second reading of this Bill, it was found necessary that the Order of the Day should be discharged, and a new Bill brought in. I explained that a Bill would have to be passed for the raising of such money as would be required for loans that would have to be made in the course of the year. The monies at the disposal of the Government are now nearly exhausted, and are not sufficient, I believe, to last out the present week; so that, probably, those who apply for loans may have to wait a little time before they get their money. It, therefore, becomes necessary to pass a Bill for the raising of a certain sum for this purpose. I propose to ask for very much the same sums as last year—that is to say, £6,000,000 for England and £850,000, or a little more than last year, for Ireland. I propose, also, to re-insert the great bulk of the clauses that were in the Bill which has been for some time upon the Table of the House; but it is intended to make a slight alteration in the clauses relating to interest, which in the Bill already laid upon the Table of the House stood at 3¾ per cent as the lowest rate to be charged. I now propose that the rate of interest for loans advanced for a less period than 20 years shall be 3½ per cent. I shall feel it necessary to proceed with the Bill as rapidly as the other Business will permit; and I may mention to the Committee that I feel myself absolved from the promise which I gave some time ago to the hon. Member for Birmingham (Mr. Chamberlain), and others, that the Bill should be brought forward as a first Order of the Day, inasmuch as that promise was made on the understanding that the Bill would be discussed on its merits. Bearing in mind that understanding, I several times waived bringing forward the Bill at a time when I might have done so; but, yesterday, when the Bill was brought forward, the hon. Member for Burnley (Mr. Rylands), instead of discussing it upon its merits, took a technical objection to it, and thereby delayed the proceedings.

MR. CHILDERS did not agree that the Government had produced any justification for breaking their promise with regard to making this Bill a first Order of the Day. However, that was a matter which rested rather with the hon. Member for Birmingham than with him. The Chancellor of the Exchequer asked the House to authorize advances to the extent of £6,850,000. Now, in the Bill which would have to be considered in connection with the Resolution, a change was proposed which would place local loans to a great extent on the footing of that made to the Irish Church Commission—that was to say, the amounts required, instead of being borrowed on Exchequer Bonds, would be provided from the Saving's Bank balances. He wished, therefore, to ask the Chancellor of the Exchequer to what extent he would use this power, and how much he would borrow in the former manner in the course of the year to meet these loans?

THE CHANCELLOR OF THE EXCHEQUER: I cannot now say how much I shall borrow; but I will endeavour to do so before the Bill passes.

MR. DILLWYN said, a most valid objection had been taken to the Public Works Loans Bill by the hon. Member for Burnley, in consequence of which it had been discharged. The Bill came up in one shape last February, and when the second reading was moved on Wednesday it was shown to have been substantially altered. He could not think the valid objection raised to the second reading of the Bill absolved the Chancellor of the Exchequer from the promise made to his hon. Friend the Member for Birmingham at the beginning of the Session.

MAJOR NOLAN inquired if the provisions of Clause 4, Section 11, were directed against certain annuities, or was a sweeping measure against paying off loans by means of annuities. Did the Chancellor of the Exchequer intend to bring in a clause to that effect?

THE CHANCELLOR OF THE EXCHEQUER: It is, of course, very convenient for borrowers to repay a loan by means of an annuity; but if the loan is spread over a long period it is not by any means so convenient to the lenders. The objection to that mode of repayment is that the generation which profits by the work for which the money is advanced bears but a slight portion of the expense. For short terms, I see no objection to the loans being paid off by annuities; but to loans for long terms being discharged in this way I see considerable objections. At the present moment, I cannot go more fully into this point, which will present itself more conveniently on the general discussion of the Bill.

MAJOR NOLAN said, that the point was a most important one, and he hoped the Irish Members would oppose the Bill in every possible way, as he intended to do, if it were to be the will that no loans were to be paid off by annuities. The provision would affect the properties of all the tenants in Ireland, and would stop many useful works there.

(1.) *Resolved*, That it is expedient to authorise further Advances out of the Consolidated Fund of the United Kingdom, or out of moneys in the hands of the National Debt Commissioners held on account of Savings Banks, or Post Office Savings Banks, of any sum or sums of money not exceeding £6,000,000 in the whole, to enable the Public Works Loan Commissioners, and not exceeding £850,000 in the whole, to enable the Commissioners of Public Works in Ireland to make Advances in promotion of Public Works.

(2.) *Resolved*, That it is expedient to amend the Public Works Loans Acts.

House *resumed.*

Resolutions to be reported *To-morrow*, at Two of the clock.

OCCUPATION ROADS BILL—[BILL 241.]

(*Mr. Pell, Sir Thomas Acland, Mr. Rodwell.*)

SECOND READING.

Order for Second Reading read.

MR. PELL said, at present, there existed great difficulties in the way of persons who willing to maintain and improve certain roads. This could only be effected through the medium of a Private Bill, which was, in itself, a very costly proceeding. The object of the Bill which he asked the House to read a second time was to enable owners to perform this kind of work when they had agreed that it was desirable. He was aware that some Amendments would have to be introduced in Committee. He would put the Bill down for Thursday week, and, in the interval, he should take the opportunity of going further into the question with the right hon. Gentleman the President of the Local Government Board.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Pell.*)

MR. SCLATER-BOOTH had no objection to the second reading of the Bill, but was obliged to point out that the machinery proposed was of a very complicated character. If the hon. Member for South Leicestershire (Mr. Pell) would confer with him in the course of the week, it might, perhaps, be cut down into a more convenient form.

MR. DILLWYN was glad to hear that the Bill was likely to be cut down into a form that would enable the House to discuss it this Session, which would be utterly impossible if it was of a complicated character.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

METROPOLITAN BOARD OF WORKS (MONEY) BILL.—LEAVE.

SIR HENRY SELWIN-IBBETSON moved for leave to bring in a Bill for further amending the Acts relating to the raising of money by the Metropolitan Board of Works, and for other purposes relating thereto.

MR. MONK objected to the Motion, on the ground that no Notice had been given, and no explanation offered as to the other purposes proposed to be sanctioned by the Bill.

SIR HENRY SELWIN-IBBETSON said, that when the Notice was called on by the Clerk at the Table he (Sir Henry Selwin-Ibbetson) did not know that it was a Government Notice. He was, of course, aware that the hon. Member for Gloucester (Mr. Monk) had power to stop the Bill at this stage, and if that course were insisted upon he should have nothing further to say. He merely pointed out that this was an annual Bill of the Metropolitan Board, giving them renewed powers for borrowing money in accordance with the Acts of Parliament under which their improvements were carried on. The Bill had to be brought in every year by the Treasury, and, in doing so on the present occasion, he was only following the action of his Predecessors in former years, and that taken by himself last year.

MR. MONK said, he opposed the Motion for the first reading, as he had received no assurance that the Bill would not sanction the payment of expenses illegally incurred by the Board, and disallowed by the auditor.

First Reading *deferred* until *Tomorrow*, at two of the clock.

PARLIAMENTARY REPORTING.

Lords Message [23rd July] *considered:*—Printed Copy to be communicated.

REGISTRY COURTS (IRELAND) (PRACTICE) BILL.

On Motion of Mr. CALLAN, Bill to regulate practice in Registry Courts in Ireland, *ordered* to be brought in by Mr. CALLAN, Sir JOSEPH M'KENNA, and Mr. FAY.

Bill *presented*, and read the first time. [Bill 259.]

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, 25th July, 1879.

MINUTES.]—PUBLIC BILLS—*First Reading*—Turnpike Acts Continuance * (163).

Second Reading—Conveyancing and Land Transfer (Scotland) Act (1874) Amendment * (141).

Committee—Report—Slave Trade (East African Courts) * (147).

Third Reading—Commons Act (1876) Amendment * (152), and *passed.*

ARMY ORGANIZATION—SHORT SERVICE—THE ZULU CAMPAIGN.

OBSERVATIONS.

LORD STRATHNAIRN rose to call attention to the unsatisfactory state of the Army owing to the substitution of short service without pension for long service with pension; also to the neglect of the first and elementary rules of the art of war exhibited in the recent operations in South Africa. The noble and gallant Lord said: My Lords, I will not now say a word which will not be in harmony with the general joy, in which no one shares more sincerely than myself, caused by the good news of the important success in South Africa, gained by a skilfully-combined plan of operations, in spite of serious difficulties of ground and transport, which does great credit to the general officer in command. The importance of the military question to which I solicited your Lordships' attention on the 30th of May, and which I now submit, cannot be exaggerated. For it is the failure—the break down—of the great experiment, the fundamental change of Army organization, the short-service system without pension, and its adjuncts, introduced by the Army Enlistment Act of 1870 by the civil Head of the Army. The military Peers, the Peers with military interests, and nearly the totality of the most experienced officers of the Army, predicted this failure from the first on account of the inherent defects of this system, and of which the chief one is its false and impracticable foundation. A knowledge of the two services, long and short, will facilitate the solution of the question. I beg to submit, therefore, their short history. The Act allowed long service with pensions to continue its recruiting; but it empowered the War Office to regulate the recruiting for both services. The military Head of the Army differed from his civil Colleague in the terms I stated to your Lordships on the 30th of May last. But the Under Secretary of State for War engaged that the short service should not interfere with, but assist, long service. The illustrious Duke the Commander-in-Chief accepted the engagement, saying that provided short service went *pari passu* with long service he would vote for the second reading of the Bill. Your Lordships will see from the sequel, and regret with me, I am persuaded, the impolicy and want of gratitude with which the long service Army with pension, and the patriotic lower classes who have always recruited it, have been treated—classes whom the Sovereign, both Houses of Parliament, and the Commander-in-Chief, have so often and so sincerely thanked for good and gallant service in every quarter of the globe. The Recruiting Department reported, in 1871, to the War Office that the long service with pension was so popular that it was altogether outstripping short service without pension, which would thus be discredited and swamped. The War Office, on this, in spite of their engagement to the Commander-in-Chief, suspended till further orders the recruiting for long service. This act created serious dissatisfaction and complaints in your Lordships' House, and the long service was released from suspension, but fettered with vexatious restrictions as to the right of the soldier to pensions, which—coupled with the suspension and the unfavourable feeling to pension displayed in Government speeches—shook the confidence of the recruiting classes in the validity of pension and in the good faith of the Government with regard to it. This mistrust was increased by a reduction of the recruiting for the pension service to 25 per cent, and by subjecting the right of the soldier to pension to a double veto, one from his commanding officer and another from the War Office. The opponents of pension did not deny that pension was the best guarantee of the soldier's discipline, but justified the raid on the soldier's pension by the necessity of diminishing the immense cost of the Army. But the truth was, as I said in Parliament at the time without contradiction, that the soldier's retiring pension was sacrificed to pay the officers' retirement, abolished with purchase, and which the Government would have had to pay. Thus encompassed and discredited by its own authorities, it was not possible that a pension Army could continue, and as such it has virtually come to an end. I solicit your Lordships' special attention to the impolicy of shunting a very efficient and successful pension Army, and leaving England and her foreign policy under the guardianship of a short-service Army, which not only has never been tested, but has given proof of unsound foundation by unparalleled desertions, immensely expensive and inefficient reliefs for India, and then afterwards breaking down at home and in South Africa, as is proved officially by despatches, endless Returns, and facts. In the interests of an efficient successor to the present Army organization, I beg to ask your Lordships to listen to the description of the admirable groundwork and principles of the long-service system which short service does not possess. The groundwork is pension—which the united opinion of the officers and the men of the British Army declare to be the best guarantee of the soldier's discipline, good conduct, and *esprit de corps.* The principles are, firstly, as regards the physique of the recruit. No Company, however great and prosperous, can give a retiring pension to their servants. The Government alone can give a retiring pension to their soldiers; and the pension which saves the soldier from the workhouse has not only rendered recruiting from ancient time popular and a household word in this country, but enables the Government to obtain in the labour market the recruit with the best physique for war and its hardships. The English people, as generous as they are just, have never begrudged the soldier his pension. Secondly, as regards the *morale* of the recruit—pension has the advantage of obtaining the recruit with enterprizing spirit who prefers a soldier's life to a life of labour, and whom discipline makes a capital soldier; and, for this reason, foreign officers consider that an English Army is the most military one in the world. Thirdly, pension and long service lessen the objection of 18 years, our enlisting age, as the recruits can be husbanded for two years till 20, the age of medical efficiency, and be capable of 8 or 10 years' service, according to the terms of their enlistment, in the prime of life. The old pensioner—who is worth all the recruiting sergeants—speaking with the authority of his long experience, tells the adventurous spirit of the village or family who prefers a life of adventure to a life of labour to do as his forefathers did—enlist, make the regiment his home, follow its fortunes wherever they lead him, obey and respect his officers, who, if he be a good soldier, will be his friends as well as his superiors, to hesitate before no sacrifice of his life and health; and tells him that if he should be spared from the casualties of war he will return to home with pension and independence from the workhouse, and with a double welcome from his belongings, one for his return, and the other for his war medals and regimental certificate of good conduct—proofs of the gratitude of his Sovereign and the generosity of his country. When the Duke of Wellington entreated your Lordships' House never to forget the value of old-seasoned soldiers, he had in his mind the pension Army with whom, in a series of immortal victories, he had by the most consummate strategy—a diversion in the Peninsula against Napoleon's universal conquests —saved England and her liberties from invasion, rescued Spain and Portugal from usurpation and military despotism, forced his way through the dangerous passes of the Pyreneean ranges, and established his military power in the South of France in support of the Allied Armies, who, after Russia, by her heroic and patriotic resistance to Napoleon's invasion, had not only expelled his Armies from her soil, but had also enabled united Germany to free herself in 1813 from French conquest and influence by the great victory at Leipsic, and the less important one at Hanau, successes of which the fruits were the invasion of France and the occupation of Paris by the German and Russian Armies. Waterloo, won with the aid of the brave Prussian Army, and the march to Paris, crowned the successes of the Duke of Wellington and of his pension Army. In 1854, the pension Army, under Lord Raglan, in co-operation with our gallant Allies the French, won Alma and the sanguinary battle of Inkerman. In 1857 to 1858 the pension Army, under the unusual hardships and trials of summer and tropical heat, in hard sieges and engagements, saved India. I now venture, my Lords, to consider short service, its groundwork and principles. The groundwork is mixed civil and military employment, in which the civil predominates, with no pension. The principles are—Firstly, short service with the Colours for the first six years, and discharge; secondly, service in the First Class Army Reserve for six years, with a small pay from the Government and wages of civil employment, which the soldier must find to make up the means of existence; and, thirdly, as he has no pension, his future is civil employment for which he has acquired experience and taste. The result is that the short-service non-commissioned officers and privates look on civil service and not the Army as their career and their future. This feeling, the shortness of their service, and the constant transfer of officers and men from their regiments, and more than all, no pension, cause the non-commissioned officers and privates to have no attachment for their officers and regiment, no *esprit de corps*, and, worse than all, an immense amount of desertion which it was hoped to check by deferred pay—a very questionable attraction, and which has had no effect on the labour market. These military shortcomings naturally engender lukewarmness in the performance of their duties by the non-commissioned officers and men. The non-commissioned officers are generally too young and inexperienced to exercise their authority, and the men generally do not obey with alacrity, but too often with reluctance. It is a dangerous feature of short service that the best men are generally unwilling to be made non-commissioned officers—of which the result is that unfit men are promoted. The noble Viscount (Viscount Cardwell), on the introduction of short service, stated that the Prussian short service lay at the root of all his reforms—that it was his model; but, my Lords, it was an impossibility that he could copy his model and construct English short service on the Prussian model; and at his first start he was stopped by an insurmountable obstacle. The Prussian recruiting is perfectly compulsory and despotic, whilst the English is perfectly voluntary and constitutional; and, therefore, the result is as different as negative and affirmative. The German Government force the whole male population of Germany of 20 years of age to join the Army, and subject them to two searching medical examinations, obtaining thus the flower of the population. But the English Government can only obtain recruits by voluntary enlistment without pension; and therefore, so far from obtaining the flower of the population at 20 years of age, they are forced to take striplings at 18, and literally to take the refuse of the labour market—so much so, that the War Office, to obtain a paper strength, are obliged to shut their eyes to fraudulent enlistment, which crowds the ranks of the Army with boys whom no other employer will engage. The recent official and published Correspondence between Lord Chelmsford, Sir Bartle Frere, and the War Office, proves that the urgent want of the Commander-in-Chief in South Africa was seasoned and well-trained soldiers, and that as the same want of seasoned and well-trained soldiers existed in England, for the War Department were compelled to send 1,000 men of the Sea Forces to re-inforce the Land Forces in South Africa. Under these circumstances, the reflection—than which nothing can be more serious—irresistibly presents itself, that if England had gone to war, two years ago, in defence of British rights, the exposure in Turkey of our military inefficiency, and the lamentable consequences which have occurred in South Africa, would have been the most fatal blow to our military and political influence that has ever occurred. The facts stated in my speech of the 30th May respecting the defects of short service have never been answered. I have now, my Lords, arrived at an aspect of the military question which is a very delicate one; but its importance supersedes its delicacy. It is the attitude of Her Majesty's Government, and more particularly of its most distinguished Premier, from an early date, with regard to short and long service. My noble Friend, together with other Members of both Houses, first supported long service with pension, and then suddenly and unexpectedly made a speech in the House of Commons against it. Others of Her Majesty's Ministers adopted the military policy of their Predecessors on coming into Office. They stated as reasons for doing so that it was necessary to try so expensive and so extensive a scheme. Others said that, having spent so much money, there was nothing for it but to make the best of it. On the other hand, I must observe that the Ministry went farther than that; for they proposed to extend the short service to Cavalry and Artillery, of which other Peers and myself showed the impossibility. But it is common justice that I should say that several of Her Majesty's Ministers are said—and I believe it is so—to be opposed to short service. I do not wish to develop further this delicate subject than to say that I think your Lordships will agree with me that it would be extremely desirable that my noble Friend at the head of Her Majesty's Government should, in the interests of the all-important question now before your Lordships' House, state whether they have retained or modified their present opinion, or returned to their former opinion as to long service with pension and short service without pension.

LORD ELLENBOROUGH fully concurred with the noble and gallant Lord in thinking that short service had been in many respects injurious to the Army; although, no doubt, if a scheme of retirement was properly carried out, it would have the advantage of creating an efficient body of Reserves. He could not speak too strongly in favour of a system of pensions. The loyalty, combined with efficiency, of the Madras Army during the late Mutiny was to be attributed, in a very great degree, to the system of pensions that existed in that Presidency of the Empire in India. He believed that all but the youngest and most inexperienced officers—namely, those on whose opinions commanding officers had been told in "another place" to base their opinions—were agreed that it was absolutely necessary to have a system of pensions concurrently with a certain duration of service, and to continue such a system in respect to both European as well as East and West Indian soldiers, of all ranks, in either Army.

THE MARQUESS OF LANSDOWNE complained of the manner in which the noble and gallant Lord (Lord Strathnairn) had departed from the Notices which had for some time stood in his name on the Paper. The Notice, as it first stood, was—

> "To call attention to the lamentable consequences resulting from the neglect of the first and elementary rules of military tactics and strategy lately exhibited in the recent operations of Her Majesty's Forces in South Africa; and to ask Her Majesty's Government when the recommendation of the Joint Committee of the War Office and the Civil Service Commissioners appointed to consider the question whether the present literary examinations for the Army should be supplemented by physical competition will be acted upon?"

The noble and gallant Lord had kept on the Notices a wholesale indictment against those responsible for the conduct of the recent operations in South Africa. He allowed that Notice to remain upon the Paper up to the last moment, and then withdrew it, and delivered a lengthy statement on a subject which he had only put on the Paper that morning. The Notice, as it appeared on the Papers delivered to their Lordships that morning, was divided into two. The first Question related to the question of examinations for commissions, and the second to short and long service systems and the operations in South Africa. But the noble and gallant Lord never referred to the first, and did not touch upon the second branch of the second Motion——

LORD STRATHNAIRN observed, that he had stated his reason for not bringing forward his original Motion, which showed the want of foundation of the criticism of the noble Marquess.

THE MARQUESS OF LANSDOWNE, in continuation, said, that he should not then discuss the question of long and short service. Their Lordships had had many discussions on the subject, and the conclusion which was arrived at was this—that the country should have an elastic Army—an Army with a Reserve; but in all his criticisms the noble and gallant Lord had never attempted to show how an Army with a second line could be supplied if we reverted to the old system of long service. The question was now under the consideration of a strong Military Commission. If the short-service system required alteration, that alteration would, no doubt, be made; but he thought it was too late to come to their Lordships and propose that we should revert to the old system of long service with pension.

VISCOUNT BURY said, he must confess that he had experienced the same difficulty as the noble Marquess with respect to the Notice of his noble and gallant Friend. Up to that morning, as the noble Marquess stated, the noble and gallant Lord had had a Notice on the Paper—

> "To call attention to the lamentable consequences resulting from the neglect of the first and elementary rules of military tactics and strategy lately exhibited in the recent operations of Her Majesty's Forces in South Africa."

Now, it would be obvious to the House that a Notice that had been on the Paper for several weeks must be taken to have contained the expression of the deliberate judgment of his noble and gallant Friend; indeed, the Notice they were now discussing ended with words to the same effect and in very much the same terms. That, then, was the deliberate judgment of his noble and gallant Friend upon the conduct of the operations in South Africa; although, in consequence of the success that had attended our arms, he would now say nothing on the subject, but be content to participate in the general satisfaction. He had only one word to say with regard to our strategy in South Africa. When the Notice that had been so long on the Paper had first appeared he was at a loss to know how to answer the question, if it arose, and had even imagined that it might, perhaps, be necessary for him to renew his acquaintance with Hamley's *Art of War*. There was only the assertion of the noble and gallant Lord that the elementary principles of war had been neglected; and it was difficult, on the strength of that simple assertion, for him to defend those who were doing their duty in a distant country. It was hardly fair, it appeared to him, that his noble and gallant Friend should have put such a Notice as he had done on the Paper. The noble and gallant Lord was a man whom the country had delighted to honour; he had won the baton of a Field Marshal, and had obtained as the reward of his services a seat in that House. Words of praise or blame, therefore, coming from such a man carried with them a greater sting and more power to wound than if they had been uttered by a person of less distinction. He was glad, he might add, that the noble and gallant Lord had not, on the present occasion, gone into the details on which he founded his opinion as to the want of military knowledge on the part of our Commanders in South Africa; and he would only say upon that point that their strategy had, at all events, been crowned with success, and that—so far as he knew up to the present moment—the plans which had been formed at the beginning of the campaign had been carried to a triumphal issue and the power of the Zulu Forces broken. Their Lordships would share with the noble and gallant Lord the pleasure which he had expressed at that result; but it should be borne in mind that we did not as yet know all the difficulties which had to be encountered; and, speaking, as it was it his duty to do, on the part of the Government, he must deprecate anything like hasty criticism and pay regard only to the solid results which had been obtained. The rest of the speech of his noble and gallant Friend had been chiefly devoted to passing a panegyric on long, at the expense of short, service. The noble and gallant Lord had entered, in the course of his observations, into a great many details which were, no doubt, highly valuable; but there was a Committee sitting on the subject, before which all the evidence which could be procured with respect to it was being placed, and he now invited the noble and gallant Lord to lay before that Committee his opinions and views upon the question. No man's evidence could carry with it greater authority; and he might, he thought, with confidence, assure him that the officers who composed the Committee would be only too glad to welcome any contribution to the elucidation of the subject with which they had to deal which the noble and gallant Lord might make. The noble and gallant Lord said under 20 was not an age at which soldiers should be recruited; and it was, he (Viscount Bury) supposed, granted on all hands that if that it had been won principally by boys, recruits of maturer years could be secured it would be desirable to obtain them. It should not, however, be forgotten that under our system of recruiting we had to go into the labour market and to compete with all the various trades in the country, which were glad to employ young and active men. If, therefore, we were not prepared to pay the sum of money which would enable the Government successfully to compete with these trades, the only resource which was open was to catch for the Army the best men we could. How to do so was the very *crux* of the whole matter which was being discused by the Committee to which he had already referred. The noble and gallant Lord had throughout his speech talked of long and short service; but he, in the same breath, talked of service for 10 years, which, as their Lordships were aware, was not long service. When men were now enlisted for 12 years it was a mere matter of detail whether they remained six years with the Colours and were then passed into the Reserve, or whether they were kept only three years with the Colours. The noble and gallant Lord seemed to think that he had a better plan to recommend; but, if so, why should he not lay that plan before the Committee? His noble and gallant Friend had passed a well-deserved eulogium on the Armies of the Duke of Marlborough and the Duke of Wellington; and he had mentioned battles, such as that of Waterloo, which he seemed to imagine had been won by long-service soldiers. He (Viscount Bury), however, had often heard his own father, who was in that battle, say and that the regiment in which he himself was was composed of boys. So, although the soldiers now in the ranks of our Army might be immature boys, they had yet acquitted themselves like men in Zululand. Of all savage tribes which we had ever had to encounter—he did not, of course, mean to compare them with European Armies—the Zulus seemed to be, by all accounts, incomparably the finest soldiers. Nevertheless, outnumbered many times as they had been, those boys, to whom the noble and gallant Lord seemed to object, had stood steady in the field against an enemy with the *prestige* of having inflicted on our troops more than one considerable blow, and despite the terror which always accompanied warfare of the kind. They had, moreover, won a victory which proved that, although they might be immature in point of years, they yet had the manhood of Englishmen, and were, in a word, true English soldiers.

THE DUKE OF CAMBRIDGE said, he did not propose to enter into any of the questions which had been brought under the notice of their Lordships by his noble and gallant Friend—on whose opinions he set the highest value—because, to discuss these questions at the present moment would, he agreed with the Under Secretary of State for War, be somewhat premature, remembering that it was being investigated by a Committee whose recommendations might lead to great changes. The views of the noble and gallant Lord were, undoubtedly, worthy of great attention; and it certainly appeared to him that his noble Friend the Under Secretary of State for War had made a wise suggestion in advising his noble and gallant Friend to go before the Committee, and he hoped his noble and gallant Friend would act in accordance with that suggestion. He had himself given evidence for two hours that day; and the opinion of the noble and gallant Lord might be taken in the same way. As he had before said, he did not think he would be justified in giving any opinion one way or the other on a question which was at present undergoing, as it were, a judicial investigation. Therefore, he hoped his silence on that subject would not be regarded as disrespectful to his noble and gallant Friend or to the House. He could assure his noble and gallant Friend that nothing had given him greater satisfaction since he entered the House than to hear the generous statement of his noble and gallant Friend that he had struck out the latter part of his Notice of Motion, the pressing of which might have had the appearance of some want of cordiality with the men who were now fighting our battles in Zululand. There was but one sentiment of delight and rejoicing at the great success which our arms had achieved in Zululand, and he was sure that no one entered more cordially into that spirit of satisfaction than his noble and gallant Friend.

EARL FORTESCUE observed, that he could not agree that all discussion ought now to be suspended because a Royal Commission had been appointed. It required no Royal Commission to find out that when, as had long notoriously been the case, the mass of recruits enlisted at about 17, if they were passed into the Reserve after six years' service or less, instead of remaining with the Colours for 12 years, a very large proportion of the Army must consist of lads under age, unfit, as the highest medical authorities had repeatedly stated and experience had shown, to face either the fatigue and hardships of a campaign or exposure to tropical climates. The remonstrances of sanitary reformers had obtained a promise that lads under 20 should not be sent out to India. There was more apparent than real economy in the present system; because the expense, not only of bringing back from distant stations men whose term of service had expired, but also of sending out others to replace them, was very considerable. At the same time, it was a great thing to have, at last, created something of a reserve, though at the expense of the present efficiency of the Army, as regarded the general age, not only of the privates, but of the non-commissioned officers, many of whom were now far too young, some of 18 and 19, many of 20 and 21. He was glad a Commission had been appointed; there was much for them to inquire into and consider, and especially the difficult question how our Army could be provided with duly qualified non-commissioned officers and men fitted by age and maturity to undergo the hardships of a campaign or to be sent to tropical climates?

INDIA—CRIMINAL LAW—USE OF TORTURE.—QUESTION.

LORD STANLEY OF ALDERLEY asked the Secretary of State for India, Whether he would lay upon the Table of the House the judgment of the High Court Judges with respect to the use by Mr. Cox of burning camphor to elicit evidence, Mr. Cox's written statement, and the despatch of the Madras Government on the subject?

VISCOUNT CRANBROOK, in reply, said, a Question on this subject was asked in the other House, and he had no additional information to that given by the Under Secretary. There was no doubt Mr. Cox had been guilty of considerable irregularities; but there was no question of torture involved. No order was made by the High Court; but on the facts coming to the notice of the Government Mr. Cox was censured. He had been seven years in the Service, and there had been no previous complaint against him of any kind. Mr. Cox, during the Famine, had been very active, and it was thought by his Grace the Governor that the conduct of Mr. Cox having been condemned nothing more need be done.

House adjourned at a quarter before
Seven o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 25th July, 1879.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES — Class VI.—SUPERANNUATION AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES—Committee—R.P.

PUBLIC BILLS—*Resolutions* [July 24] *reported*—*Ordered* — *First Reading* — Public Works Loans (No. 2) * [260].

Ordered — *First Reading* — Shipping Casualties Investigations Re-hearing * [262].

Second Reading—East India Loan (Consolidated Fund) [201].

Committee—East India Loan (£5,000,000) [197], *debate adjourned.*

Committee — *Report* — Knightsbridge and other Crown Lands (*re-comm.*) * [258].

Third Reading—Lord Clerk Register (Scotland)* [196], and *passed.*

The House met at Two of the clock.

PRIVATE BUSINESS.

* * *

THAMES RIVER (PREVENTION OF FLOODS) BILL (*by Order.*)

CONSIDERATION OF LORDS' AMENDMENTS.

Order for Consideration of Lords' Amendments, read.

Clause 16a (Provision as to Dock Companies).

SIR CHARLES W. DILKE said, he would not detain the House for more than a few minutes by the remarks he wished to make in reference to this clause; but he should not like to see the clause inserted in the Bill, under the circumstances in which it had been placed in the Bill, without saying a few words on the subject. The Bill was one which was introduced by the Metropolitan Board of Works for the purpose of dealing with the prevention of floods, and the present clause was inserted by the Committee of the House of Lords after the Bill left the House of Commons. In the Committee of the House of Commons, of which he was a Member, the Bill was carefully considered, and the Metropolitan Board were successful in keeping the Bill intact, so far as all its main provisions were concerned, and especially in regard to the area of taxation, upon which the great fight took place. There were, however, secondary questions raised, and among them was the question of arbitration. The Bill was opposed by the Corporation of London, by the Conservators of the River Thames, and by various public Bodies—Vestries and wharfingers, and local individuals, who had frontages upon the River. A very large number of counsel made speeches to the Committee, in which they touched upon the question of arbitration raised by the present clause, and the line taken by the Metropolitan Board of Works as promoters of the Bill was that of opposition to all proposals of the kind. They said that they were perfectly competent to undertake all the duties themselves, and the Committee maintained them in that view. He thought that both the opponents of the Bill, as regarded the principle of taxation and the promoters of the measure, were unanimous in resisting the concession of arbitration from the outside, and the Metropolitan Board strongly contended that they, as a public Body, ought to be competent to discharge the duty. But he (Sir Charles W. Dilke) now discovered that, at that very time, the Metropolitan Board had agreed with one set of the opponents represented by counsel—namely, the Dock Companies—to introduce an arbitration clause for their benefit, and that clause was accordingly introduced in the House of Lords, the Committee of the House of Commons not having been informed that such an arrangement was in contemplation. He certainly thought, from what he knew of the opinion of the Committee upstairs, that many Members of that Committee, if not the majority of the Members of it, would have wished to raise the question of arbitration as regarded other public Bodies and individuals, if they had known that the Metropolitan Board of Works were going to give way at all. If the principle was to be introduced into the Bill at all, it ought, at all events, to be considered in the case of every person having a river frontage, and not in the case of the Dock Companies only, who were rich, and fully able to take care of themselves. The persons for whom provision ought to have been made, if it was to be made at all, were not the wealthy corporate Bodies, such as the Dock Companies, but Vestries, Local Boards, and other public Bodies, who had frontages the same as the Dock Companies, but no engineers, in the comfortable position of the engineers of the Dock Companies and the Metropolitan Board. Not only did the Metropolitan Board give way when the clause was before the House of Lords, but he was told that they had absolutely put forth a Whip in favour of it that morning, so that they had not only the Dock Companies who opposed the Bill, but the promoters of the measure itself supporting the clause which had been introduced into the Bill as a matter of arrangement in the House of Lords. He complained of the manner in which the Committee of the House of Commons had been treated in the matter. The Members of the Committee were asked to support the Metropolitan Board in resisting arbitration, when all the time the Metropolitan Board had decided that, so far as the Dock Companies were concerned, arbitration should be introduced. His own view was, that the Metropolitan Board were competent to perform all the necessary works for themselves, as a public representative Body, to the satisfaction of the general public; but if the principle of outside arbitration was to be observed it should be observed in every case. For that reason, he had placed a Notice on the Paper of his intention to move that the House should disagree with the Lords in regard to this particular clause which they had inserted. At the same time, he was informed that the Chairman of Committees (Mr. Raikes) had made up his mind to support the clause, and if that was the case, it would be perfectly useless, as everyone knew, to put the House to the trouble of a Division; and, having stated his objection to the clause, he should not move the Amendment of which he had given Notice.

MR. RAIKES said, the hon. Baronet opposite (Sir Charles W. Dilke) went somewhat further than he was entitled to go in assuming that he (Mr. Raikes) had made up his mind to accept this clause. One circumstance weighed with him very much before arriving at any positive conclusion on the subject, and he had thought there was a possibility of that circumstance coming out in the course of the debate. If the right hon. Gentleman who was Chairman of the Select Committee to which the Bill was referred had been present in the House, and had risen to support the Motion of which the hon. Baronet had given Notice, he should think that, on the whole, he should have been disposed to advise the House, at all events, to leave open the question for further consideration, because he thought it was a matter in which the House would be inclined to stand by its own Committee. That appeared to him to be a very valuable principle to adopt as a general rule, and if the right hon. Gentleman the Chairman of the Committee had recommended that course, he (Mr. Raikes) did not think he could, under the circumstances, have dissented from that view; but he was bound to say that, under any other circumstances, it appeared to him that they would not be warranted in acting in the spirit of the statement just made by the hon. Baronet, and in disagreeing to the Amendment introduced by the House of Lords. Perhaps he might be allowed to point out one matter which appeared to have escaped the hon. Baronet, whose statement, as any statement made by the hon. Baronet always was, was generally fair and candid in regard to the whole matter. But there was one point which the hon. Baronet omitted to notice. He stated that the Amendment which had been introduced by the House of Lords was not considered by the Committee of the House of Commons, and that, if it had been, it would probably have been also considered in regard to other opponents who equally desired to have the privilege of arbitration. Now, he (Mr. Raikes) must point out that if the opponents of a Private Bill opposed a Bill on its merits generally in the House of Commons before a Select Committee, they did not usually carry their opposition further, for if they did, they were excluded by the other House from opposing the Preamble of the Bill. This was an important matter in this case, because the Dock Companies could have gone into this clause in the House of Commons if they had not wished to reserve to themselves the right of opposing the Bill in the other House of Parliament. That, he thought, made a material difference in the question. Then, as regarded the Amendment itself, he was bound to say that it seemed to him to be a reasonable Amendment, and, as far as he could judge, it was approved of by both sides. He did not find that there was any objection to the Amendment introduced into the Bill by the House of Lords *per se*—it was merely argued that other parties ought to have the same advantage extended to them. They had now reached a period in the progress of the Bill when it became impossible for these parties to obtain that advantage; and if the clause was struck out of the Bill it would not help the other frontagers to an opportunity of obtaining the same advantage. If they were able to re-open the question altogether, possibly it might assume larger dimensions, and he was not prepared to say that it might not be well to give arbitration to the frontagers generally. But it was too late to take that course now; and, in the absence of any suggestion from the Select Committee, it would be taking an extreme course if they were now, because certain persons had been disappointed in obtaining from Parliament that principle of arbitration which they desired to obtain, to exclude others who, on their own merits, were certainly entitled to it. Before he concluded, he should like to say one word upon the question involved in the clause. These Dock Companies represented a capital of something like £17,000,000. They were incorporated public Bodies, and they employed the most competent engineering skill they could obtain. That being so, they would certainly be exceedingly well advised as to the works it was desirable to carry out on the river so far as their own interests were concerned, and much better advised than individual frontagers and others who had not such engineering talent at their command. It was quite possible that public Companies like these, with a large capital and able engineers to advise them, would have a plan of their own for the construction of works which might be of the greatest possible importance to them, and which they did not wish to have over-ridden by the mere *ipse dixit* of the Metropolitan Board of Works. That being so, it did not appear to him astonishing that the House of Lords should have attached importance to this clause. It must be borne in mind that a clause similar in effect was accepted by the Metropolitan Board of Works at the time they brought in their Bill in 1877, and was inserted in the measure. That course was not taken on the present occasion. He was not in a position to give an explanation of the reason; but it might be, as a matter of policy, that the Engineer of the Metropolitan Board was not inclined to accept the principle of arbitration if all the frontagers were to have it. But he thought the fact that the principle was not conceded generally ought not to prejudice the right of the Dock Companies. He hoped what he had said would guard him against the imputation of having formed a prejudiced view of the matter; but he did not think the House would be acting in the interests of the frontagers if, on the present occasion, they were to strike out this clause. Under all the circumstances, he hoped the hon. Baronet the Member for Chelsea would not press the Amendment of which he had given Notice.

Sir JAMES M'GAREL-HOGG, as Chairman of the Metropolitan Board of Works, was anxious to say a word or two before the House came to a decision upon the matter. The hon. Baronet opposite (Sir Charles W. Dilke) had already been set right as to the view of the Chairman of Committees; but there was one other point on which he wished to correct the hon. Member. He was not in the least aware of any arrangement with the Dock Companies of any sort or kind to insert a clause when the Bill went to the House of Lords. So far as the feeling of the Metropolitan Board went, they would much rather have the entire responsibility cast upon them. Their engineer was fully competent in every shape and form to indicate what steps ought to be taken to prevent the flooding of the River, and the Board were very sorry to have any arbitration at all. But having accepted this clause in the House of Lords, they felt bound, as men of honour, to carry out the understanding embodied in the compromise between the Dock Companies and themselves. At the same time, he must point out to the House that, in regard to this matter, the Dock Companies stood on a very different footing from other people. All they did was under an Act of Parliament—everything they were entitled to carry out must be done in accordance with the provisions of their Act of Parliament. They were, therefore, usually exempted from outside interference. Take, for instance, the Thames Conservancy Bill, brought in during the present year. In the 49th clause of that Bill, Sections 4 and 7, it would be found that the Dock Companies were specially, in consideration of their being under an Act of Parliament, exempted from the operation of the Act. It was the same in regard to other Acts relating to the conservancy of the River. He quite endorsed what his hon. Friend the Member for Chester (Mr. Raikes) had said in regard to the Bill brought in by the Metropolitan Board in 1877. The Board, no doubt, did agree to insert a clause of this nature in that Bill; but they had not done so in the present measure, because they did not approve of it. But they found it necessary, in this instance, to come to a compromise with the Dock Companies. Upon that compromise, which was made when the Bill was in the House of Lords, the Dock Companies withdrew their opposition; and he certainly did not think that, considering the extent of their capital, and all the interests involved, the Dock Companies could be placed in the same position as the rest of the frontagers, who had a very small interest indeed in the matter. He was glad that his hon. Friend the Chairman of Committees had announced his intention of abiding by the Amendments of the House of Lords. As Chairman of the Metropolitan Board, he had considered it desirable to say a few words by way of vindicating the action of the Board in the matter.

Lords' Amendments *agreed to.*

QUESTIONS.

THE LATE PRINCE IMPERIAL.

QUESTION.

SIR FREDERICK PERKINS asked the Secretary of State for War, Whether there was not time for General Wood, after hearing of the disaster to the Prince Imperial, to have sent out on the evening of the same day, and at once, a force to discover his whereabouts, instead of waiting until the following morning?

COLONEL LOYD LINDSAY, in reply, said, that the Question was one rather for the Cape authorities than for the Government at home; but that, as it was decided on the evening in question that no immediate steps should be taken, it was probable there was good reason for the decision.

SOUTH AFRICA—THE CAPE COLONY—IMPRISONMENT OF GRIQUAS.

QUESTION.

MR. W. H. JAMES asked the Secretary of State for the Colonies, With reference to his statement that the Griquas imprisoned at Cape Town are treated as prisoners of war, if he can contradict the statement that many of them were brought in chains from Griqualand to Durban, and from there to Cape Town?

SIR MICHAEL HICKS-BEACH: Sir, my statement the other day was that these Griquas were treated as prisoners of war at Cape Town. So far as I can recollect, I had heard nothing, until the hon. Member gave Notice of this Question, of the way in which they might have been brought there from Griqualand. But it must be remembered that their outbreak was accompanied by murder, by the plunder of property, and by threats of great violence to White women and children, which could not but cause great alarm to the few White residents in their country; and that, being a race of half-breeds, the excuses which might be made for ignorant Natives are scarcely applicable to their conduct. Therefore, it is very conceivable that it may have been thought necessary to place them during their journey under the same restraint as that to which they would certainly have been liable if they had been arrested as criminals. I may add that the wives of these prisoners were left in the occupation of their farms, and have reaped the crops.

GAME LAWS AMENDMENT (SCOTLAND) BILL.—QUESTION.

SIR DAVID WEDDERBURN asked the Lord Advocate, Whether it is his intention to proceed, during this Session, with the Game Laws Amendment (Scotland) Bill; and why this Bill, which is unopposed, has not been proceeded with since the 5th of May?

THE LORD ADVOCATE (Mr. WATSON), in reply, said, he did intend to proceed with the Bill referred to, and he had put some Amendments on the Paper, which would probably furnish an answer to the hon. Member's Question in accounting for the delay in proceeding with the Bill.

PARLIAMENT—PUBLIC BUSINESS.

QUESTION.

MR. CHILDERS asked Mr. Chancellor of the Exchequer, If he was in a position to give the House further information as to the course of Public Business next week?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, that at this time of the year it was always very difficult to give any precise and final information as to the arrangements for Business; so much depended on the progress made on particular days. He had, however, already informed the House that he would proceed with the Irish Estimates on Monday, and, as regarded the other Business of the Government, something would depend on the rate of progress they were able to make with the Estimates. There was one point, which was probably in the mind of his right hon. Friend, and which he (the Chancellor of the Exchequer) had also to bear in mind. Some time ago, he stated that he should be prepared to lay on the Table the Estimates for the South African War, and the Vote of Credit, probably before the end of this month, and Thursday would be the end of the month. Now, the news they had received recently from the Cape enabled them to prepare that Estimate with greater confidence than would have been the case a few weeks ago; and he, therefore, hoped to be in a position to redeem his pledge, and to bring that matter before the House in a form which he might present with some confidence. There were also one or two other matters, more or less in connection with the financial arrangements of the year, which would have to be borne in mind. They had, as the House was aware, to make provision for the payment of certain Exchequer Bonds which fell due in August and September. It would be necessary to take a Vote in Supply, in order to provide the means for paying off those Bonds; and if the House agreed to the Bill now about to be proposed for a loan to India, some provision would have to be made in order to raise the money that would be required for the purpose. He should, probably, on Tuesday, in Committee of Supply, propose a Vote for that purpose, and then on Thursday, in Committee of Ways and Means, as the First Order of the Day, he should propose the steps necessary to provide for the bills which had to be paid off, and also the Estimate that would be necessary for a Vote of Credit. The Government were further anxious to go on with the Navy Estimates on Thursday, if the preliminary statement he had to make would allow sufficient time. If not, of course, it would be necessary to put it off until a later day. So much, however, depended on the progress made with other Business which should have precedence, that he was not able to give more precise information as to what would be taken on particular days.

PUBLIC WORKS LOANS BILL.

QUESTION.

Mr. RYLANDS asked Mr. Chancellor of the Exchequer, What his intentions were in regard to the Public Works Loans Bill? He was aware that the right hon. Gentleman considered himself absolved from the promise which he had given in regard to it; but he trusted he would place it in such a position on the Orders as to insure that it might be fairly discussed.

The CHANCELLOR of the EXCHEQUER thought that, as regarded the pledge that had been given to a particular Member, he had sufficiently redeemed it on Wednesday, when he was prevented from giving effect to it by the course taken by the hon. Member (Mr. Rylands) himself. That, however, was a matter on which he did not wish again to express his opinion, though he thought the step then taken might have been taken equally well three or four months before. Still, he felt his duty to the House required him to see that a full opportunity was given for discussing the Bill.

EGYPTIAN AFFAIRS.—QUESTIONS.

Sir JULIAN GOLDSMID asked, Whether an opportunity would be given for the discussion on the interference of the Government in Egyptian affairs?

The CHANCELLOR of the EXCHEQUER thought, considering the great pressure of Public Business upon them, that the hon. Gentleman should find an opportunity himself for bringing the question forward. There would probably be plenty of opportunities between that day and the close of the Session for introducing a discussion on Egyptian affairs.

Mr. GOSCHEN asked, Whether any other Business than the Vote in Supply referred to would be brought forward on Tuesday?

The CHANCELLOR of the EXCHEQUER said, he would repeat that he would take ordinary Supply on Tuesday, and perhaps the Public Works Loans Bill.

Sir JULIAN GOLDSMID reminded the right hon. Gentleman that he had promised to give an opportunity for discussing the Egyptian question, if private Members wished for it.

Sir HENRY SELWIN-IBBETSON said, the hon. Baronet might find an easy opportunity on the Appropriation Bill.

Mr. SHAW LEFEVRE remarked, that the Navy Estimates had never, during his recollection, been postponed to so late a period of the Session. They were generally brought on earlier.

ORDERS OF THE DAY.

EAST INDIA LOAN (CONSOLIDATED FUND) BILL—[Bill 201.]

(*Mr. Raikes, Mr. Edward Stanhope, Mr. Chancellor of the Exchequer.*)

SECOND READING.

Order for Second Reading read.

The CHANCELLOR of the EXCHEQUER: Sir, I apprehend that it is now my duty to move that the Bill be now read a second time, and in doing so I will not detain the House by making a long statement on the subject. If any question is raised in the course of the discussion, my hon. Friend the Under Secretary of State will be able to give further explanations, and the House will have an opportunity of considering the Amendments which have been placed on the Paper. All I wish now to say is this—we cannot in this country hold ourselves indifferent to the position of Indian finance, although we cannot undertake to control or direct it from this country. As a general rule, the principle upon which we act in regard to India is that she should, to use a familiar expression, "stand upon her own bottom." That is to say, we recognize that, as far as possible, India should be responsible for her own expenditure, and for the means taken to meet it; and that, although her proceedings are, from time to time, brought under the notice of this House, and very properly so, we should interfere with her affairs as little as possible. We must bear in mind, however, that although India is, in a certain sense, self-supporting, there are some qualifications to that position. When we say that a country should be entirely self-supporting, it seems to me to be a natural condition that she should be altogether self-governing; because, if a State provides her own revenues, it is, of course, desirable and fair that she should have the direction of her own policy, so as to be able to accommodate her expenditure to her means. With regard to the relations between England and India, we cannot say that that is exactly the position of India. The government of India is, in the first place, directed by officers appointed by the United Kingdom; and, in the second place, not only is the administration of Indian affairs in the hands of Europeans, but, to a certain extent, public opinion in England and the action of the English Parliament do influence the expenditure of that country, both in civil and also in military matters. We call upon the Indian Government to undertake great public works, to introduce improvements in education, and in the promotion of sanitary matters in that country, and to undertake other matters which are very excellent in their way. Similarly, the engagements of this country, from time to time, and the entanglements of its foreign policy, affect Indian finance, although we keep it as distinct as possible from English finance, in a way which we cannot view with indifference, and involve India in expense which she would not have incurred if she had been entirely separate from us. It therefore becomes necessary, from time to time, that we should see whether or not we are under any obligation to give assistance to that country. Now, on the present occasion there is, as the House is aware, a state of affairs in India which renders it difficult for the Indian Government to meet all the demands upon it without imposing upon the country burdens which it is undesirable to impose, and which it would be unnecessary to impose, if temporary relief can be given. In these circumstances, the proposal has been made to the Imperial Government that they should come to the temporary assistance of the Indian Exchequer by an advance of money for a limited time to assist her in her financial difficulties. Hon. Members are aware, from the discussions that have already been held, what the condition of the Indian Exchequer is. They know what exertions are being made to reduce the expenditure of the country; and they know, also, the two events which have mainly contributed to derange the Indian Exchequer. One is the war which took place on the North West Frontier last year and the beginning of this year, and which is now, happily, ended; and another, which is also of a temporary character, I hope, is the derangement caused by the peculiar state of the exchanges, consequent on the fall in silver. Well, in these circumstances, the Indian Exchequer has applied for assistance to the English Exchequer, and we have intimated our willingness to propose to Parliament that we should go to the aid of the Indian Exchequer by a temporary loan. The loan is one of

£2,000,000, and it is proposed that it shall be made without interest, repayable within seven years by annual instalments. There have been many transactions of a similar kind from the early days of the last century; but in those cases it not unfrequently happened that the loans were made to England by the East India Company, though they were, perhaps, to be regarded rather as payments for the advantages of the renewal of the Charter and the other facilities which the Company obtained. Thus, in 1708, a loan was made by India to England of £1,200,000, without interest. On other occasions loans were made to India by England. In 1773, there was a loan of £1,400,000. In 1810, there was a loan of £1,500,000; while in 1812, there was what was, practically, a loan of £2,500,000—for funded Debt to that amount was raised under the guarantee of the English Government. In addition to these, there have been a great many cases in which money has been advanced by the English Exchequer on account to India, and delay granted for repaying the same, without any charge being made for interest in respect of that delay. But I do not rest this Bill upon any exact precedent; I rest it upon the circumstances of the case; and I think the proposal on behalf of Her Majesty's Government will be considered fair and reasonable on the part of the House. I observe that in one of the Notices of Amendment given upon this Bill it is assumed that the £2,000,000 are a contribution to be made by this country to India on account of the expenses of the Afghan War, and that it represents the share which England takes in the burden of that war. Now, I have never taken that view of the subject, for I shall be glad to remind the House what it was I said at the beginning of the Session, now so far back as the month of December last, for the House has been sitting since December. I said at that time, when we were discussing the operations in Afghanistan, that it was right to consider what the position of India would be with regard to wars beyond, or within, her own Borders. With regard to wars within her own Borders, I assume that India ought to bear the expense; but with regard to wars altogether beyond her own Frontier—wars in distant countries—it was not the duty, or, at all events, it was not consistent with the practice of Parliament, to lay on India any expense in connection with such wars. It had been done in some instances in former times; but it was generally considered that it ought not to be done, and that if Indian troops and resources were used for such wars it should be at the expense of England. But when we come to the case of Border wars, and have to consider wars within what may be called the Indian circle —the regions bounding India—and wars that are undertaken for what may be regarded as Indian objects, it is a matter for adjustment and consideration on each occasion where the burden shall fall. Now, I regard the war which was recently carried on on the North West Frontier of India as being strictly and properly an Indian war. It was as much an Indian war as any other of the Border wars in which India has from time to time been engaged. To a certain extent, it is true that the war may have been precipitated by the action of an European Government, and the possible action of the English Government may have been more or less precipitated by circumstances that have occurred in Europe and other parts; but, speaking directly with regard to the circumstances which led to that war, they were of a purely Indian character. It was of importance to India that she should have a quiet Frontier on the North West, and that she should live on good and satisfactory terms with her neighbours in Afghanistan. In order to attain that end, the object at which the Indian Government aimed was to establish and maintain satisfactory relations with the Ruler of Afghanistan, and, at the same time, to safeguard our interests by preventing his entering into cordial and diplomatic relations with any other Power. Well, when circumstances arose which seemed to show that the Ruler of Cabul was receiving Envoys from another Power, and not from England, it was thought necessary on the part of the Indian Government to take steps to right ourselves; and make it clear to everyone that Russian influence was not to supersede English influence in Afghanistan. The same feeling prevailed in India, that it would be of serious detriment to the peace of India; and, therefore, it became necessary that steps should be taken to counteract the action of Russia. The step we took to insure that was of a very simple and harmless character—namely, to send a corresponding Mission to the Ameer, with a request that it might be received. That mission was not received. It was repulsed under circumstances to which I need not now refer, but, undoubtedly, in a manner which would have tended very much to diminish the authority and influence of the Indian Government on the Borders of the Empire, if such a rebuff had been allowed to pass unnoticed. It was consequently felt necessary by the Government of India to take steps to compel the Ameer of Afghanistan to admit that Mission, and to come to terms with the Government of India. The result was that, after a brief and very brilliant campaign, its object was obtained. A satisfactory peace has, we trust, been concluded with the Ameer; and I hope that the relations now being established between India and her neighbour will be conducive to the peace, prosperity, and tranquillity of India. In these circumstances, it was our duty to consider to what extent, if any, the English Treasury should come in aid of the Indian Treasury in respect of the cost of the war. I have already stated that if it was to be regarded merely as a Border war I thought India might very well bear the expense; but that if it should become complicated by European intrusion into it and should take a wider range, and assume anything of the character of a European and Imperial war, then that it might be a matter in which the Forces of the whole Empire would be called into play, and that in that case we should come largely to the aid of India. Well, Sir, that did not happen. There was no such complication, and, in the circumstances, I think we are doing all that we are called upon to do in making the proposal I have now to submit to the House. We now ask for power to issue this sum, out of the Consolidated Fund, by way of loan to the Secretary of State for India. If that authority is given, our intention is to raise the amount by borrowing it on some proper security; and, in point of fact, I may at once say that it will be advanced to us out of the funds at the disposal of the National Debt Commissioners. We shall borrow from them, and not in the open market. I may also add that repayment will be made annually in equal amounts over a period of seven years. The transaction is of a simple character and capable of being easily understood, and, under the circumstances, I beg to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

MR. FAWCETT, having presented Petitions from influential inhabitants of Bombay and Madras, Native and European, against the proposal of the Bill, as entailing a disproportionately heavy charge on India, proceeded to move, as an Amendment—

> "That, considering that it has been officially stated that the Afghan War was undertaken in the interests of England and India jointly, this House is of opinion that it is unjust to make India pay towards the expense of the war more than seven times as much as will be contributed by England."

The hon. Member said, the principles involved in the Bill were of a most important character. As was evident from the statement of the Chancellor of the Exchequer, it divided itself into two portions—first, the form in which it was proposed to make this contribution; and, secondly, the amount of the contribution. These two questions ought to be kept perfectly distinct. To the question as to the form he would very briefly refer, as it could be raised, if necessary, at a future stage of the Bill; but he would remind the House that the right hon. Gentleman the Member for the City of London (Mr. Hubbard) had stated that rather than there should be a loan made to India without interest an adequate sum ought to be paid down once and for all. That opinion had been greatly strengthened by the statement of the Chancellor of the Exchequer. He (Mr. Fawcett) wished emphatically to endorse the principle laid down by the right hon. Gentleman—namely, that India was bound, as he expressed it, to "stand on her own bottom," and should not look to this country for grants-in-aid, or subventions. What were the precedents as to this question? The Chancellor of the Exchequer said that loans were formerly made by India to England. When was that? Just at the time the East India Company were seeking a renewal of their Charter. Could any worse precedent have been adduced? The proposed contribution was either a gift or subvention; or it was given in discharge of a legal and equitable obligation. If it were a gift, he would be the last to object to its adequacy; but rather than have that fatal gift accepted he would be in favour of imposing increased taxation upon India. If India was to be encouraged to look to this country for grants-in-aid and subventions, the day of sound financial administration was gone for ever. Once proceed on that footing, and there would be no kind of wild enterprize on which India might not enter, and come to England for re-payment. Every guarantee for economy and thrift would be swept away, and full scope given to a career of extravagance. If the question was to be argued as one of gift, he would oppose the Bill *in toto*, and say that India ought not to receive one penny as a gift. For his part, the motive that had influenced him was that if there was not greater economy the day would come when India would not be able to stand on her own bottom, but would come to England for grants-in-aid. He did not believe that day had come. He did not take so gloomy a view as that. Knowing what could be done by wise financial administration, he thought that India, well-administered, could stand alone, and need not undergo the humiliation of being a suppliant to that House for grants-in-aid. He wished to regard the question as one of legality and equity, and did not want India to receive one halfpenny more than she was entitled to according to the strictest justice; for were she to receive more than she was entitled to it would only be a *damnosa hæreditas.* He thought there could be no doubt as to the legal position of the matter. Lord Derby, in introducing the Government of India Act of 1858 — the Act under which India was governed at the present time—said, in reference to the 55th clause, that its object was to protect the financial interests of India, and that it accordingly laid down the principle that if Indian troops should be employed beyond the Indian Frontier in Imperial warfare the cost should be paid by England; but if in Indian warfare, then by India. Lord Derby added that it would be the duty of the House of Commons to see whether such warfare as the clause related to was an Imperial or an Indian enterprize. Now, could there be any doubt as to the character of the recent Afghan War? When it was sought to support the policy of the war the Government taunted their opponents again and again by saying—"You are such parochial-minded politicians that you do not understand the nature of the great Imperial enterprize upon which we are embarking." Such was the language employed by the supporters of the Government inside and outside the House. Now, however, the Chancellor of the Exchequer entirely altered his tone, saying—"Oh, this is purely an Indian war; purely a little Frontier war, or Border dispute; and, consequently, India ought to bear the larger portion of the expense." He would prove that this argument put forward by the Chancellor of the Exchequer was adduced for that particular and special occasion. If there were two men in the world who ought to know what was the real character of the Afghan War better than anybody else they were Lord Lytton, who was responsible in India for the war, and Lord Beaconsfield, who was responsible in England. Well, the former said—

> "After several personal interviews with Lord Salisbury (who was then Secretary of State for India) I went to India determined to treat our Frontier relations as indivisible parts of a great Imperial question, mainly depending for its solution upon the foreign policy of the Government."

Lord Beaconsfield, too, amid the cheers of the assembled Peers of England, when it was a question of magnifying the importance of the policy of Her Majesty's Government, and not a question of paying the bill, said—

> "It is a mere question of the Khyber Pass, or of some small cantonment at Dacca or Jellalabad. It is a question which concerns the character and the influence of England in Europe."—[3 *Hansard*, ccxliii. 519.]

And yet, when the Bill became due, the war was reduced by Her Majesty's Government to the dimensions of a miserable Border dispute. Now that he had read these extracts he thought the House would scarcely sanction this plan of blowing hot and cold—of treating the war at one time as a great Imperial enterprize, and reducing it at another to the proportion of a mere Border dispute. He would now consider what, according to the statements of the Government, would be the exact amount of the contributions made towards the war by England and India respectively. The expenses of the war were officially stated to be £2,600,000. Towards these expenses England was to contribute £2,000,000 free of interest. This capital was to be re-paid in seven years, the first re-payment being made at the end of next year. Now, what was the exact amount which England would lose by this surrender of interest on £2,000,000 for seven years? Reckoning compound interest, he found that the amount of England's contribution would be less than £320,000. India, however, would contribute £2,280,000 towards the expenses of this "great Imperial enterprize undertaken for the maintenance of the influence and character of England." In other words, wealthy England would contribute £1 for every £7 contributed by India on a great Imperial question. Besides that, £60,000 per annum was to be devoted to the new Ameer, and India would have to pay every shilling of that sum. Confining himself, however, to the actual financial estimate of the direct cost of the war, he found that the Bill of the Government would virtually cause the House of Commons to sanction this principle—that for every £1 contributed by England £7 should be contributed by India. He did not seek to enforce his case by appeals to generosity and sympathy. What he had done was to argue it on the basis of strict justice and pure legality. This was a consideration that ought to be presented to the House when the question arose as to the proportion in which the cost should be divided between England and India. If there were any doubt upon the matter, the benefit of the doubt should be given to India, and not to England. As it was, however, India would have to pay for the war, whether she liked it or not. The Indian population had no choice in the matter, in that they were not self-governed, as were the English people, who, if the war had concerned them directly, as it did the people of India, would have been able through the agency of Parliament to bring public opinion to bear upon the question. He held, therefore, that those who supported the Government in commencing the war ought also to support him in the Motion which he was about to make, because they held that the war was of an Imperial character and not a mere Indian Frontier war, and ought, therefore, to be willing to put upon the Imperial Exchequer a far larger proportion of the costs than was proposed. The Chancellor of the Exchequer once said that what we required to maintain our rule in India was to be just, as well as strong. Could it be just to impose on poor impoverished India seven times as much as England for a war that was undertaken, he would repeat, not for India, but to maintain the influence and character of England in Europe? He begged to move the Amendment of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "considering that it has been officially stated that the Afghan War was undertaken in the interests of England and India jointly, this House is of opinion that it is unjust to make India pay towards the expenses of that war more than seven times as much as will be contributed by England,"—(*Mr. Fawcett,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR JOHN LUBBOCK said, he did not deny that the Afghan War was undertaken in what were supposed to be the interests of the whole British Empire, thereby understanding those of England and of India jointly; but with the deduction drawn by his hon. Friend the Member for Hackney (Mr. Fawcett) he was unable to agree. Indeed, if the principles on which Imperial expenditure ought fairly to be divided between the different parts of the Empire were to be revised, he was satisfied that India would be called on for a much larger contribution than she now paid. It was hardly going too far to say that while India, the Colonies, and the Mother Country, each bore its own special expenditure, the whole burden of Imperial expenditure fell exclusively on the Mother Country. The amount which thus pressed on the tax-payer of these Islands was enormous. Last year, for instance, not only was our military expenditure very heavy on account of the unsettled state of the East, but there was a special Vote of Credit of £6,000,000, of which, however, India was not called on to pay one penny. It would be remembered, moreover, that our Mahommedan fellow-countrymen in India called on us to interfere for the protection of the Sultan of Turkey; and though Her Majesty's Government did not actually go to war for Turkey, they put our Army and Navy in such a position as they thought would increase their weight and influence in European Councils, and especially with Russia. The whole of the expense, however, fell on us. Nay, so scrupulous were we that, when Indian troops were brought to Malta, we bore the expense ourselves. Yet our interest in the Eastern Question mainly arose from our Indian and Australian possessions. But for them, we should be no more concerned in it than Germany or France; and he contended, therefore, that it was not unjust to ask India to pay a portion of the expenses incurred for the protection of that country. Moreover, when his hon. Friend complained that this country was, under the Bill, bearing only one-seventh of the cost of the Afghan War, he must remember that the population of India was five times as great as that of these Islands, and if, from British energy and industry, Englishmen were individually richer, they might not unfairly object to bear extra taxation on account of their own industry, though he should not be disposed to press that argument to its logical conclusion. He rejoiced at the successful termination to which the skill and bravery of our soldiers had brought this war in Afghanistan; but, considering the terms of peace, he could but ask himself what would have happened if we had not been successful? Let hon. Members consider the actual arrangements that had been made. First, we were to have an English, instead of a Native, Resident in Afghanistan—and that did not seem to him a very important matter either way; next, certain districts were "assigned" to us; we had not annexed them. Now, "assigning was a new term, which, as far as he could make out, meant that we were to pay the expenses, and hand the revenues over to Afghanistan; thirdly, we were to keep the Hill Tribes in order; fourthly, we guaranteed the Ameer against an attack by Russia; and, lastly, we consented to pay him an annual tribute of £60,000. And that was the result of a war in which we had been triumphantly successful. But he would not pursue that subject. The immediate question was the mode in which the expenses was to be met. He had already objected to that mode, and would not repeat what he then said, further than to point out that one great objection he had to the Bill was with respect to the mode in which it was proposed to raise the money, because it would introduce additional confusion into the accounts of both countries, and render it more difficult for the people of India to perceive the additional burden thrown upon them by the policy of Her Majesty's Government. But, while disapproving the Bill, he could not support the Amendment of his hon. Friend the Member for Hackney, because the question must be considered not only with reference to this particular item, but in reference to the general relations between England and India; and, as he had already said, he believed that if the principles on which expenditure was distributed as between India and the British Isles were to be revised it seemed to him that we should be very great gainers. The Expenditure of this country fell under three great heads—Civil, Military, and the service of Debt. Even with regard to our Civil Service Estimates there were some items of which India and the Colonies ought in equity to bear a share. The service of Debt cost £28,000,000 a-year; and, of course, much of our Debt was incurred for purposes in which India and the Colonies had no concern; still there was a large part in which they were interested. Passing, however, over these two items, he came to our Military and Naval expenditure, which last year amounted to £32,000,000. For the mere defence of England probably £10,000,000 would amply suffice, and the rest was required, or supposed to be required, for the maintenance of the Empire; but out of 200,000,000 — which was the total number of Her Majesty's subjects—only 34,000,000 contributed to it. Then let them consider our Navy, for instance. Last year it cost £12,000,000, while India for naval purposes only spent £70,000, and the Colonies practically nothing. Our Mediterranean stations were required to keep np our communication with India; but the whole expense, amounting to about £750,000, was borne by us. If, then, the expenses of the Empire were to be revised and equitably distributed, it was clear that India would have to make a very large contribution. That, of course, was not now contemplated. The hon. Member for Hackney complained that India was paying towards the cost of the Afghan War seven times more than England; but, after all, the Frontier question was mainly an Indian question, and the population of India was five times greater than that of these

Islands. He did not think that his hon. Friend took a sufficiently wide view of this question. The Afghan War was merely one episode of the Eastern Question; and, taking that Question as a whole, England would have spent at least £10,000,000, as against £1,500,000 paid by India. It seemed to him, therefore, that England was bearing even more than its fair share of the burden; and, in these circumstances, while anxious to treat India not only with fairness, but even with liberality, he was unable to support the Amendment of his hon. Friend the Member for Hackney. He must, however, say that, although he was precluded from supporting it, he, and he thought hon. Members generally, would agree, to a great extent, in the speech with which the hon. Member had moved it.

MR. LAING said, that if the hon. Baronet the Member for Maidstone (Sir John Lubbock) was as practically conversant with Indian finance as he was with financial matters nearer home, he would have hesitated before making the observation that, as regarded financial arrangements between the two countries, England had to complain of India. He (Mr. Laing) would assert, without fear of contradiction, that owing to the policy forced on India against the advice of her best statesmen, and to the Army organization scheme, which went entirely beyond Indian wants, India was paying at least from £2,000,000 to £3,000,000 a-year more than would be necessary if her own local authorities and Governors General had been allowed to organize her Army in her own interests. With regard to the Mahomedans in India, and the pressure they could bring to bear on public opinion there, did not the hon. Baronet know that they formed but a minority of the population? A subscription had been started in India in support of the Sultan during the late war, and, with a Mahomedan population of 60,000,000 or 80,000,000, the whole amount contributed was under £6,000, and he was informed that £2,000 of that sum was given by two large Mahomedan houses. But the question the House had practically to consider now was, whether the proposal of the Government was a fair apportionment of the expenses of the Afghan War as between England and India? The principle had been stated by the Chancellor of the Exchequer that in cases of this kind there should be a joint contribution. In purely local wars the right hon. Gentleman said that India ought to pay the whole cost; in wars distant from India, England should pay the whole. Now, in considering whether what was proposed was fair, they should also consider the position of India and her ability to bear the whole cost. The war was stated by the Chancellor of the Exchequer to have been undertaken almost exclusively for an Indian object. But that was at variance with the statement of Lord Beaconsfield, that the war concerned the character and interest of England in Europe. It was because England had assumed a particular line of policy that the Russian Embassy was sent to Cabul, and so the war originated. In the financial position in which India was, who would have thought of precipitating her into a war for remote and contingent dangers? If either Lord Canning, Lord Lawrence, Lord Mayo,—he quoted his name the more readily because he was an excellent Governor General and a Conservative—or Lord Northbrook had been Viceroy, that war would have been impossible. Neither of those noblemen, being opposed to any idea of the extension of our North Western Frontier, would have undertaken it, which was a conclusive proof that it was unnecessary, and, therefore, unwise. Yet, in the face of all that, we were told that this was a mere Frontier war undertaken for Indian purposes. And now as to the capability of India to pay for the war. The cost of the war stood on the Estimates at £2,670,000. He accepted that estimate, but with considerable misgiving, and he must confess that it would be a most agreeable surprise to him if it should turn out that it was no more. But supposing the expense of the war to be covered by £2,670,000, that was an insignificant part of the cost. We should look to the permanent expense entailed by that extension of the Frontier. His (Mr. Laing's) prediction that the new scientific Frontier would render necessary an increase in the military expenditure of India had been more than realized; for Sir Henry Durand had estimated a permanent addition to the Army of India of 10,000 troops, and to the military expenditure of at least £1,000,000 a-year, as the consequence of exchanging a secure Frontier at one side of the mountains for a scientific Frontier beyond. An expenditure of that sort in the present financial condition of India was a matter of the most grave importance. He had but one complaint to make of the speech which the Under Secretary of State for India lately made on the financial condition of India; it was so candid a statement, it was so agreeable a surprise, that the Government at last realized the necessity of economy, that criticism was turned into compliment, and many thought the financial difficulties of India were nearly at an end. That was very far from being the case. The Debt of India had increased from £107,000,000 in 1874 to £139,000,000 in 1879, or an annual average increase of £6,000,000 a-year, and the extent of the expenditure by the extension of their territory into Afghanistan had not yet been seen. There was now a net total income of £21,000,000, and an expenditure of £24,000,000, which was an expenditure in excess of income, when, as Lord Beaconsfield said, in order to maintain English influence in India they rushed into the Afghan War. It was only by largely extended economies and a great reduction of military expenditure that India could be saved from bankruptcy, or this country from crushing taxation. Our acquisition of the new "scientific Frontier" of India was to have produced a greater feeling of security, and a more settled state of affairs between England and Russia. This was the contention of Her Majesty's Government and their supporters; but there were other persons who had all along pointed out that the idea was delusive, and he was very much afraid we had not yet seen the end of our military expenditure in Afghanistan. All the distinguished military authorities who had discussed the subject were of opinion that if we extended our Frontier into Central Asia, although we might easily conquer the Natives, the greater would be our feeling of insecurity, the greater would be our actual insecurity, and the greater would be our expenses. Not only that, but we should be very likely to involve ourselves in the shifting quicksands of Afghan policy, and every step we took would only render us more sensitive and nervous as we approached the Russian Frontier. These prophecies were already being fulfilled; for the Russians, alarmed and jealous, no doubt, in consequence of our conquest of part of Afghanistan, were at that moment carrying out an expedition further into Central Asia, and the British Government was all in a fidget lest the expedition should attempt to advance on Merv. No doubt it was said Merv would not be occupied by Russia; but expeditions undertaken by civilized nations against predatory hordes must be followed up, and sooner or later the place would probably be occupied by Russia. Instead, therefore, of being diminished, we should be obliged largely to increase our expenditure on our new Frontier, stationing there more troops to counteract the moves of Russia. Our scientific Frontier would, therefore, cost us more than £1,000,000 a-year. The condition of India with the present deficit was critical and dangerous. The danger to our rule in India lay, not outside that country, but inside it, for the teeming millions of its Native population required more constant care, and were capable of being a more terrible foe than Russia. Let them be treated fairly, justly, and kindly in matters of expenditure and everything else, and our rule over them was safe; but let them be treated in a contrary manner, and our rule over them could not be maintained. Whatever we might think was the effect of our military achievements, the Hindoos placed one quality much higher, and that was our sense of justice. It was simply because our Governors General, and their subordinates, had been more just than the Native Princes that we had gained such a great hold over India; and he trusted that neither a mad determination to keep up a great military expenditure, nor anything else, would cause Englishmen to lose their reputation for justice. The main, indeed he might say the only, chance of saving India, he would not say from bankruptcy, but from depending directly on the British taxpayer, was to get England to endorse and sustain her credit, and by a very large reduction of military and other expenditure. He was afraid, however, that the conclusion of the Treaty with Yakoob Khan rendered that more difficult than before. Indeed, he very much feared that in a short time we should be forced to go to the rescue of Indian finances; and, in his opinion, it would be far better not to pass this Bill. His hon. Friend the Member for Hackney (Mr. Fawcett) deprecated any part of the Indian charges being thrown on the taxation of England; but he (Mr. Laing) did not agree with him. It was only through the English taxpayer feeling that he must ultimately bear the burden of Indian extravagance in increased taxation that any hope could be entertained of finding a remedy for the present state of things. He believed that temporary loans would have a pernicious rather than a beneficial effect by encouraging extravagance, and that the true policy was to let India, as the Chancellor of the Exchequer said, "stand on her own bottom." But there was another matter equally deserving attention, and that was the manner in which Indian public opinion had, on more than one recent occasion, been outraged. What, for instance, could have been more damaging to the reputation of England for justice and straightforwardness than the application to alien purposes of the Famine Insurance Fund, the reduction of the cotton import duties —not for the benefit of India, but in obedience to political considerations at home—and, lastly, the gagging of the Native Press? It might be the desire of Her Majesty's Government to govern India for the good of India; but their policy during the past few years, it appeared to him, strangely belied their professions. He very much feared that many persons in this country regarded the Hindoos as people who could be dealt with exactly as their Rulers pleased; but such an idea was a great mistake. There was in India an intelligent and growing public opinion, which could understand and condemn, as distinctly as our own people, any act which violated the principles of justice, and that opinion would, he was convinced, condemn the proceedings of the present Government.

SIR GEORGE CAMPBELL said, he had placed on the Paper the following Amendment, which the Rules of the House did not permit him to move, but which he would read as the text of his speech, seeing that it entirely set forth his views on the subject:—

> "That there is no reason for departing from the ordinary rule which places the obligations of India on the credit of India, and not on that of the United Kingdom; but any assistance given to India in respect of the Afghan War should be given from the revenues of the United Kingdom, and not as a loan."

We had, in what had been considered the interests of India, taken means to secure her against the approaches of other Powers; he, therefore, thought that she should be called upon to contribute towards the cost. England bore the major part; it was only proposed to require India to pay the minor portion, and, holding the views he did, he regretted that he could not altogether, on this occasion, agree with his hon. Friend the Member for Hackney (Mr. Fawcett). He did not take what might be called the sentimental view of our connection with India; and when he came to consider whether the money at present under consideration should be paid by his constituents in Kirkcaldy, or by the people of India, he was inclined to think that a great part should be paid by India. Those who argued to the contrary, on the ground of British entanglement in Eastern complications, must take those complications as a whole, and not in detail; and they would see that, whether right or wrong in being jealous of Russia, we were jealous in consequence of our possession of India. The major portion of the expenditure had already fallen upon England, out of whose Exchequer, of course, the Vote of Credit for £6,000,000 had to be met. He would admit that the people of India were very poor; but he altogether denied that we had imposed a grinding taxation upon them; on the contrary, we had relieved them from many burdens which they bore in earlier times, the only serious burden imposed upon them being the salt tax. If we had not dealt generously with them, we had, at least, done fairly by them. True, we had recently put upon them the licence tax, which was of a somewhat grinding description; but that was not a conclusive proof that the taxation was really so grinding as it was sometimes supposed to be, because he did not think the present Governor of India superlatively wise. He did not take the chivalric view that we were to be unjust to ourselves in order that we might be generous to India, which we had governed for the benefit of its people. He did not so much object to the amount of the assistance that it was proposed to render to India as to the form in which it was to be rendered; and that objection was expressed in the Amendment of which he had given Notice, but which he could not now move. The effect of the course taken by the Government was to shirk the whole question of this obligation, for it was not faced either by India or England. India did not admit that she was obliged to borrow money, and the British Government did not boldly take it from the taxpayers. The forgotten precedents cited by the Chancellor of the Exchequer were outweighed by the fact that, in the present century, in great financial difficulties India had stood alone, even when loans had to be raised at 5½ per cent. The arguments of the Chancellor of the Exchequer would have been just as valid in support of a proposal to pledge the credit of England for the whole Debt of India, or in support of a much larger loan by India for the expenses of the Afghan War; but he entirely failed to show that there was any particular reason why this particular sum should be raised on the credit of England. There was no such financial stress as should induce the Government to depart from the ordinary rule. He was driven to the conclusion that it was thought better to postpone facing the charge than to put it upon either India or England—to put it aside for the present, and to leave it to be dealt with by the taxpayers of another generation. How far were we to go in this imprudent course? A man would rather give £5 than put his name to a bill for £50, which would probably be followed by another bill for a larger amount. Surely the credit of that country was good enough, without resort being had to the credit of this. If the policy of Her Majesty's Government were accepted by the House, and this bill were backed by England, in all probability other bills would be forthcoming from the Government of India. With regard to the Afghan War, he was surprised that the Chancellor of the Exchequer should have taken the opportunity of pronouncing a eulogy on the operations in that campaign, and thus have challenged discussion on that subject. He, for one, did not share the belief that the Treaty concluded with Yakoob Khan would put an end to all the difficulties connected with the Afghan policy. In this case, the Afghan operations must be followed by increased expenditure, for it was admitted that eight regiments would form the garrison of the Khyber Pass, while as many, or more, would be required at other posts, so that from 16 to 20 regiments would be occupied in holding the newly-acquired territory, while all history rendered it probable that we should be involved in many Frontier troubles with tribes whose trade was plunder. We should be obliged to make endless expeditions, and incur endless expense, before the Native tribes were reduced to submission. With respect to the Treaty entered into by the Government of India with Yakoob Khan, if the Ameer were able to carry it out he would find no fault with it; but no one who knew anything of Afghanistan could doubt that the Treaty could not be carried out without renewed trouble and great expense. With respect to the question more immediately before them, he feared that Her Majesty's Government had entered upon a very dangerous path and asked the House to agree to a very doubtful principle, and he should, therefore, give his vote against it. With reference to the means to be adopted in reducing Indian expenditure, he quite agreed in the propriety of providing that the Natives should be promoted to higher offices and employment in the Government, as they were paid less than Europeans. They were becoming more fitted for such promotion every day, and it would be not only an act of justice to them, but an act of sound financial policy; further, the Government must be firm in reducing the Army.

Mr. GRANT DUFF said, that he rose chiefly for the purpose of deprecating a discussion of the details of the Afghan Treaty. The Chancellor of the Exchequer was, no doubt, a little in fault in leading hon. Members on to that track; but it was clear that no advantage could accrue to the Government, or to the Opposition, from the discussion of that subject at present. They had not, in fact, the materials for that discussion. The Treaty could not be understood without the fullest explanation. As it stood at present, it was a most unintelligible document; but as far as he could make it out, if the despatches to be laid before the House did not put a different face on the Treaty, it seemed likely to prove a calamity to us. He, therefore, hoped the Government would lose no time in the preparation and production of the Papers in reference to it, as he (Mr. Grant Duff) could assure them that nothing was further from the intention of the Opposition than to allow the Treaty to pass without the fullest discussion directly after the despatches relating to it were laid on the Table. With respect to the Bill before the House, looking at it with Indian spectacles, he could not but think that his hon. Friend the Member for Orkney (Mr. Laing) was too severe in the observations he had made in criticizing the speech of the hon. Baronet the Member for Maidstone (Sir John Lubbock). It was his (Mr. Grant Duff's) duty for a period of years to watch the financial relations between England and India; and it was his firm impression that they were very far indeed from deserving the strictures which the hon. Member for Hackney (Mr. Fawcett) had passed upon them. In fact, if those relations could be tried before some impartial arbitrator, he was not quite sure that the judgment would not be that something was owing by India to this country, and that she ought to pay more than she now paid. That view was held by some persons who had given the longest and the most anxious attention to the subject. He agreed entirely with the first part of the Amendment which had been placed on the Paper by the hon. Member for Kirkcaldy (Sir George Campbell), and regretted that it could not be moved. With regard to the Bill itself, he was bound to say that he viewed this £2,000,000 to be handed over to India as a mere benevolence, but a benevolence given in the worst possible way. It would form a very vicious and bad precedent, and was one as to which it would be better for India that it never was given at all.

GENERAL SIR GEORGE BALFOUR opposed the Bill, having placed the following Amendment on the Notice Paper:—

"That it is alike dangerous to the finances of India as of England to make loans to India out of the taxes of the United Kingdom; that it is unnecessary to aid India by loans of this kind if proper economies were enforced, and Indian expenditure restricted to that which ought justly to be charged on Indian revenues; that the expenditure in England, Civil and Military, now chargeable on Indian revenues, but under the control of the Government of England, is susceptible of large reductions to an extent far in excess of the sum which is needed to pay for the interest on two millions; and that the costly organization of the Imperial troops now forced on India by the Government of England is capable of being so modified as to ensure a diminution of expenditure, without diminishing efficiency, as would amount to a sum far in excess of many borrowed millions."

The hon. and gallant Gentleman said, that no one could consider the precedents which the Chancellor of the Exchequer had quoted in favour of the present measure of aiding the finances of India by temporary loans from the Imperial Government without looking forward to the like evils to India that flowed out of the former loans. The Chancellor of the Exchequer had even referred to loans which had been made to the Imperial Government, more especially those which related to the renewal of the Charters of the Bank of England and of the East India Company, without a feeling of shame for the manner in which the public and India had been treated by this country. At one time the whole capital of the Bank of England had been loaned to the Imperial Government, and even at present nearly the whole was so lent to the injury of commerce. And in bygone years large sums were also lent or given by the East India Company in order to induce Government to grant a monopoly of commerce. He regretted that it was now proposed to follow the evil example set in former days, for he feared that the result would be to check economy and to encourage extravagance. If any Member would search the financial record prepared by Mr. Chisholm, and laid before Parliament on the Motion of the right hon. Gentleman the Member for Greenwich, he would there find conclusive evidence of the way in which India was supplied with loans by the Imperial Government in the form of depreciated Exchequer Bills, and repaid by India at nearly their full nominal value. No doubt, the plea was put forward, both formerly and at present, that England provided India with military establishments; but that attempt to manage the affairs of India, instead of allowing India to take care of her own matters, was a great evil, both as respected the costly nature of the management and its bad results. He contended that they were not getting either efficiency or the worth of the money that had been spent on the Indian Army. An hon. Member who preceded him had implied that the work was well done. In answer to that, he wished to state one fact. There was now one battalion under orders for India, which would embark within two months. In that battalion there were 340 soldiers of less than one year's service, and 370 who were under 20 years of age. Would anyone say that those men were qualified and capable to stand in the ranks of the Indian Army? He considered that they were endangering the reputation and the honour of the British Army by sending such soldiers into the field

After reminding the House of the way in which India was treated after the China and Abyssinian Wars, and the acquiring of Ceylon and Mauritius, he would impress upon hon. Members that the steps taken in India with a view to economy were likely to have a contrary effect——when

Mr. SPEAKER drew the hon. and gallant Member's attention to the fact that the Question before the House was the East India Loan (Consolidated Fund) Bill.

General Sir GEORGE BALFOUR remarked, that his object in mentioning the details of bad management was to bear out the statement in the Amendment that if India could be allowed to manage her own affairs that economy and efficiency would certainly be secured.

Mr. GOSCHEN said, he wished to put a question to the Under Secretary of State for India. He would be glad if that hon. Gentleman would state to the House what were the present financial relations between India and this country, as regarded the balance of Debt? Supposing that the House should vote the £2,000,000, would that go in diminution of the annual drawings, or would the £2,000,000 be in addition to the present Debt of India? This point, if cleared up, he held, could not fail to have a very important bearing upon the future financial transactions of the Government with India. He wished also to express his opinion that the proposal of the Government to raise these £2,000,000 by way of loan to India was alike shabby and unsatisfactory. It seemed to him that there must either exist, on the part of the Government, a sense that they ought to contribute towards the war—in which case the cost should be treated as expenditure—or a sense that the war was purely an Indian affair, in which case their proposal was, as had been well said by the hon. Member for the Elgin Burghs (Mr. Grant Duff), pure benevolence. The Chancellor of the Exchequer had not, however, said that the finances of India were reduced to such a position that it was absolutely necessary that we should make her a charitable contribution of £70,000 a-year, the interest upon £2,000,000. Why, then, was that loan proposed? From the consciousness that the war was not purely an Indian war, and that the Empire ought, consequently, to be called upon to make this contribution. If he was right in that conjecture, he objected altogether to the contribution taking the shabby form of this loan; and the proposal was not only wrong, inconsistent, and shabby, but most dangerous as a precedent for the future. Let expenditure be borne where expenditure had been incurred; let that expenditure appear either in the Indian or the English Budget; but do not let the House indulge in a kind of jugglery in order to ease off a transaction which might not be satisfactory to either country.

Mr. E. STANHOPE wished to make an appeal to the House whether, considering the ample discussion that had taken place, and the late period of the Session that had been reached, they were not in a position to decide the point that had been submitted to them? The subject had been debated very fully and with great ability on both sides of the question. There had been the able speech of the hon. Member for Hackney (Mr. Fawcett), and that of the right hon. Gentleman opposite, representing one view of the question; and the speech of the hon. Member for Maidstone (Sir John Lubbock), together with the speeches of other hon. Members, representing another view of it. With reference to the remarks of the right hon. Gentleman who had just sat down (Mr. Goschen), he (Mr. E. Stanhope) could assure the House that the proposal before it had not been made in the belief that the war was not a purely Indian war. On the contrary, it was made in the full belief that this was a purely Indian war. The tone of the Chancellor of the Exchequer, at the commencement of the war, was precisely the same as it was now. The right hon. Gentleman, speaking when the war began, said—

> "We must wait and see what will happen. If this war assumes a wider development, then we must re-consider the whole matter; but if it remains a mere Frontier war, there can be no reason why England should go to the aid of India."

The war was now over; the cost was comparatively small, and it had retained what he might call a local character. The Government, therefore, put their proposal forward on the distinct understanding that the war was almost entirely a purely Indian war. The reason they made the proposal was this. The Government of India applied to the Government at home to make the advance upon this ground: they said—"We have had this war upon our hands; we have to meet its expense at a time when the remittances which we have to make to England are larger than ever they were before; and, looking to the rate of exchange being so high, it will be hard upon us to make those remittances. Grant us this loan, which will not only enable us to meet the cost of the war, but assist us in the matter of the remittances." It was in direct expectation of this loan being granted that the Government of India estimated at £15,000,000 the amount which they would have to remit to this country in the present year, the estimate being based upon a calculation of the probable rates of exchange. Allusion had also been made to the cost which might be entailed upon India in the future, in consequence of the new Frontier arrangements recently effected in Afghanistan. He was not yet in a position to go into details on the matter; but he might inform hon. Members—and there were some hon. Gentlemen present whose prophecies as to the cost of the war itself had been completely disappointed—that, in his opinion, the extra expense which these arrangements would necessitate would not be anything considerable. Reference had likewise been made to the subject of keeping up large garrisons in Afghanistan. A question on this subject had been put to him the other day. The arrangements which he then sketched out with regard to the Khyber Pass were essentially provisional; but, even if it were necessary to continue such an arrangement as he had indicated, there would not necessarily be an addition to our military Force, but simply a re-distribution of it. He would not go into the question of the general state of Indian finances; but he might say that, looking at them now with the added experience of two months, and the more perfect knowledge of what they had before them, he believed that if he had to make his statement now, instead of two months ago, he should be able to give a much more favourable impression than he had then done. He believed that the pledges they then gave, that if circumstances were favourable they would be able to put their finances upon a sound footing, would be amply redeemed.

MR. CHILDERS observed, that the right hon. Gentleman the Chancellor of the Exchequer had described the war in which this country had been engaged in Afghanistan as a Frontier war, and, therefore, one the cost of which ought to be defrayed by India. But while the right hon. Gentleman the Chancellor of the Exchequer omitted to explain why the loan to India had been proposed, the Under Secretary of State for India explained that it was proposed chiefly in order to bring the balances as between India and England into a more satisfactory position. If that was so, he (Mr. Childers) should like to know how the statement of the Chancellor of the Exchequer, that the war was a mere Frontier affair, the cost of which ought to be borne by the Indian population, was to be reconciled with the statement of the Under Secretary of State that this loan was to be made on account of the war? But the advantage which would be derived, in the most favourable circumstances, by India was so small—being, in a financial point of view, as between English credit and Indian credit, only £52,500—that he could not conceive any sufficient ground for the proposal which had been made, and had provoked so much feeling in Parliament and in the country. Neither could he conceive it right, for such an object as that, to disturb the whole rules of finance. There had been no shadow or pretence of justification in the speech of the Chancellor of the Exchequer for the proposal to make a large gift from the English Exchequer to the Revenues of India, no record of which would ever be found in the accounts laid before Parliament in such a form as that it could be discussed in Parliament. He hoped, if the House gave a second reading to the Bill, that it would be so amended as to remove some of the objectionable features.

MR. J. G. HUBBARD said, it was not a pleasant thing to criticize the acts of one's friends; but he would not be dealing honestly if he did not say that he was deeply distressed by this act of the Government. It was at variance with the ordinary system of finance; for in this proposal the Government had introduced something which, in finance, was utterly unknown. It was, in fact, a financial monster, the production of which he could not account for; for a loan bearing no interest was not a loan only, but a gift to the extent of the interest which was forborne. Either the English taxpayers were bound to contribute to the cost of the recent Afghan

War, or they were not. If they were not, where was the object of the Bill? If they were, let them estimate their share of the responsibility and of the contingent gain, and pay accordingly. His hon. Friend the Under Secretary of State for India had explained that this loan was asked for by India; but he (Mr. Hubbard) should like to know whether it was asked for without interest? [Mr. E. STANHOPE: Yes.] If that was so, the Indian people were very ingenious, and he was afraid had set an example likely to be largely followed. But strange as was the proposal, the reason given for it was even more strange. The Indian Government complained of the loss by exchange upon their remittances to this country, and they desired a loan to mitigate the immediate pressure; and now see how the proposed arrangement would work—of a loan of £2,000,000 without interest, and repayable in seven years by instalments each of nearly £300,000. The interest of the loan, if contracted by England, would be £60,000 a-year; if by India, £80,000. Therefore, instead of paying £60,000 or £80,000 a-year, India was now to pay £300,000 a-year. Obviously, the only reason given in support of the Bill told the other way—it was an aggravation of the exchange difficulty, not a mitigation of it. This loan was intended to be an act of grace to India. Was it not possible to make this act of grace still more gracious? He thought he saw how that could be done. In the stipulations of the Treaty with Yakoob Khan we undertook to pay him £60,000 a-year as a subsidy. That was precisely the amount which this country would have to pay as interest on the loan. Well, then, let the subsidy be an English investment; and, instead of this loan of £2,000,000, let us give India the £60,000 a-year outright. He could vote neither for the Bill nor for the Amendment before the House; but he would readily vote for the proposal of the hon. Member for Kirkcaldy (Sir George Campbell), if he were able to take the decision of the House upon it.

SIR ARTHUR HAYTER said, he had no doubt whatever as to the vote he should give on the present occasion. He maintained, in opposition to the Chancellor of the Exchequer, that the Afghan War was essentially an English, and, therefore, an Imperial, and not an Indian war; and he would refer hon. Members to the letters from *The Times'* Correspondent, in which the writer went on to show that it had shattered one of the finest of our Cavalry regiments, and had played havoc with some of the best Infantry, as well as Native regiments. These had been shattered not by the swords of the enemy, but by the disease which they encountered in the Khyber and other Passes. Such had been the result of this short campaign, which was rather a mere military promenade than anything else, and it was one of the most expensive results that could be obtained. The question of the military expenditure of India was especially forcing itself on the attention of the people of England. Three years ago the expense of the entire Army, Native and European, was £16,639,000; last year it was £17,010,000; and this year it was £18,225,000, of which £2,000,000 were due to the Afghan campaign. If these £2,000,000 were deducted, the cost would be nearly the same as it was three years ago. According to the Commission which sat in 1859, the amount and distribution of the permanent Forces necessary to be maintained in India must be always affected by the political necessities of the country, the railways opened, the military roads, and other similar considerations. The hon. Gentleman (Mr. Laing) had told the House that railroads had sprung up over India, and yet we had not reduced our military expenditure. The proportion of Europeans to Natives in the Army of India was, before the Mutiny, as one to three; after the Mutiny it was one to two. His hon. Friend ought to impress upon the Commission now sitting in India that Members on that (the Opposition) side of the House would not be satisfied until they saw very large reductions in the garrisons of India. An Army of 100,000 Natives and 50,000 Europeans would at once create a reduction of 40,000 men.

THE CHANCELLOR OF THE EXCHEQUER said, he must say the hon. and gallant Gentleman who had just spoken (Sir Arthur Hayter) had carried them over a rather wide field of discussion, into which he did not propose to follow him. The question of the military situation in India was, no doubt, a very important one, which would have to be discussed on a proper occasion. Again, how far he was correct in describing the late operations of the Afghan War as a military promenade was a question upon which he would not then enter, nor would he stay to contrast the views to which the hon. and gallant Gentleman had now given utterance with those expressed by right hon. and hon. Gentlemen opposite some months ago, when they said that the campaign would comprise some of the most formidable operations in which England ever was engaged, and that they could only look forward to the most frightful dangers and disasters. All this was beside the question. They must proceed on the data which were before them. The real question was that the Indian Government, finding that in balancing their accounts for the current financial year they were in a position of deficit, caused to a great extent by the operations in Afghanistan, had to consider how that deficit could be met. It might be met by an addition to taxation ; but, for reasons already stated in the House, the Government of India considered that would not be an expedient course. It would have involved great pressure on the people of India for a temporary purpose. That being the case, it was necessary, in some way or other, to raise money by way of loan. Then there came the question how best that money should be raised ; and, under all the circumstances of the case, the Indian Government made an appeal to Her Majesty's Government to advance a certain sum—£2,000,000—to carry them over the difficulty at the moment, the Indian Government undertaking to provide for its re-payment in seven years, repaying it without an addition to their taxation. His right hon. Friend the Member for the City of London (Mr. Hubbard) said the loan they proposed to make without interest was "a monster"—he had never heard of a loan without interest; it was a monster so terrible in its shape and form, that he earnestly protested against it. His right hon. Friend said whatever assistance we were bound in justice to give to India should not be given in this way. He (the Chancellor of the Exchequer) confessed he had some difficulty in following the argument of his right hon. Friend. He could quite understand the argument of the hon. Member for Hackney (Mr. Fawcett), when he said we had more share in these transactions in India than we were willing to admit, and we ought to bear a greater portion of the burden ; he could understand the argument of others who said this was a purely Indian difficulty and India should be left to get out of it as she best could; he could understand, also, the argument of those who said we ought to make this as a gift; but, assuming that this was a proper measure, he could not see the force of the argument against the particular form of the loan. Why was a loan without interest a monster, and why was it not a loan? He confessed, for his own part, he could not see it. Would a loan made below the current rate of interest be a monster? Perhaps his right hon. Friend would say it was. [Mr. J. G. HUBBARD: So it is, in its degree.] In that case, a loan at 2 per cent would be a little monster. In fact, the monster would get larger as the proportion of interest decreased. He confessed he was unable to go into this elaborate study of natural history, and it appeared to him that a loan at 2 per cent, or 1 per cent, or ½ per cent, was still a loan; and a loan did not become a monster merely because it was under the current rate of interest. It also occurred to him that the Government were at perfect liberty to take the step which they had taken without incurring the censure which his right hon. Friend endeavoured to cast upon them. The right hon. Gentleman the Member for Pontefract (Mr. Childers) said this was done in a way to conceal, from those who studied these accounts, the assistance which England was giving to India year by year. He (the Chancellor of the Exchequer) did not think that would be the case. Year by year they made loans, under the Public Works Loan Commission, to public bodies, at a lower rate of interest than they could borrow them for themselves. The money for this advance to India would be borrowed from the National Debt Commissioners ; but it would be placed in an account which would show to everyone the nature of the transaction, and the amount of our contributions during each of these seven years. The 4th clause required that a full account of all receipts, payments, and transactions under the Act should be made up every year and audited by the Treasury. He had formerly explained the course proposed to be taken, and there would be no difficulty in exactly tracing what the nature of the transaction was. It was merely a question of book-keeping, and, therefore, not insoluble. He hoped the

House would feel that, in making this proposal, the Government were not making such a tremendous attack upon national morality as had been supposed. He could not see, when once they admitted the principle that England ought to come to the assistance of India, that there was any difficulty in the matter.

Mr. GLADSTONE said, he was not surprised that the Under Secretary of State for India was anxious to bring the debate to a close, considering that it was rather a remarkable fact that hardly anybody seemed cordially to support the principle of the Bill under discussion. Objectors approached the Bill from directly opposite points; but they all agreed that the Bill was not one that ought to be adopted. Looking at the number of financial and Indian authorities in the House, it would have been satisfactory if a "stray" Member could have been induced to rise and say that the Bill was, from some point of view, a consistent application of a sound principle in connection with Indian finance. That, however, remained to be proved. The Chancellor of the Exchequer had not answered the main point of the right hon. Gentleman the Member for the City of London (Mr. Hubbard) as to the burden that the exchanges would throw on India in making remittances to England. The Government, in fact, had sought to justify the measure by its operation on the present state of the Indian exchange. Let them try it by this test. Every year, up to seven, the Government were going to burden the exchange by the necessity of India remitting home about £300,000; whereas had they left her to raise the loan in the open market, her remittances would not have been £300,000 yearly in respect of this loan, but would have been £70,000. As to the Indian exchange, he did not pretend to say what would be the rate of that exchange 20 or 15 years hence; but, certainly, no person could regard as permanent the state of affairs which now existed. With respect, then, to the proposed limit of seven years, it appeared to him that the proposals of the Government would greatly aggravate the difficulty already existing in the matter of exchange; and when they looked at the question from a point purely of figures, it seemed to him that the Chancellor of the Exchequer had altogether failed to answer the arguments of his right hon. Friend the Member for Pontefract. His right hon. Friend pointed out that, by the proposal of the Government, they were to give a pecuniary benefit to India amounting to the difference between the rate at which we could borrow and she could borrow—an amount somewhere about £50,000—but, at the same time, they were asking the people of England practically to make a present of something like £300,000 to India. On that ground alone, as a mere matter of finance, this was an extraordinary operation; nor was the description of it as a monster so extraordinary, although it had been criticized very ingeniously by the Chancellor of the Exchequer, but it had been the established practice to make use of illustrations from natural history within the region of the stock market; and so the right hon. Gentleman the Member for the City of London (Mr. Hubbard) was perfectly justified in placing that department of science under contribution for the purpose of illustrating his argument. The Chancellor of the Exchequer had not accurately understood the point that they were by this transaction going to lay out between £200,000 and £300,000 yearly of the money of the people of England, and that outlay would never appear in the public accounts, where it ought to appear as part of the public expenditure. No doubt the re-payment of the instalments would be duly recorded, but the expenditure would not appear as such. An important question involved was the surrender of the important principle of the independence of the two Exchequers. He admitted that, as a rule, the cost of an Indian war ought to be borne by India; but the war in question was an Imperial war, due to Imperial policy, and had reference, not to Asiatic Powers, but, above all, to one great European Power. The Government ought, therefore, to have boldly and manfully assumed the responsibility for England. He was prepared to vote for the Amendment of the hon. Member for Hackney, although he did not think he could do so on the Main Question, because there were other Motions upon the Paper which might be more acceptable. The position of the Government was this—the Chancellor of the Exchequer had laid down, in the most distinct manner, the principle that the Afghan War was an Indian war; that it belonged to that class of wars the cost of which ought to be borne by the Indian

Exchequer, and not to that class the cost of which ought to be borne by a mixed contribution.

THE CHANCELLOR OF THE EXCHEQUER: Not entirely. I said that this had been something rather more than a Frontier war, and therefore there was a certain obligation, but only a small obligation, upon England; but if it had gone to a much larger extent, and a European Power had come in, we should have recognized a much greater liability on the part of England.

MR. GLADSTONE rejoined, that that was not the impression which the right hon. Gentleman had left on those who had heard him. The Chancellor of the Exchequer now said this was not in the first class of wars, but in the second class, to be met by a mixed contribution, though, in his view, it ought to be confined in very narrow limits. But he (Mr. Gladstone) ventured to think they ought not, for any trifling sum such as the difference between the rates of interest at which the Indian and the English Governments could raise money, or the differences on exchange, to depart from the principle of the independence of the Exchequers. A graver financial question could not possibly be presented to the mind of the British Parliament than the assumption of responsibility by England for Indian expenditure. Whatever was done in that way should be from serious cause, and not merely for securing to India the trifling benefit of getting any of the sums now at issue. He was entirely at a loss to know, when once the Government admitted that England ought to bear some portion of the cost of this war, by what consideration it was that they arrived at the conclusion that it should be limited to one-seventh of the cost. He could not conceive, if this were a war having reference, as was admitted, to a policy involving questions of the general balance of power, by what argument the liability of India was fixed at six-sevenths, and that of England at one-seventh. In the points that were now mainly raised with reference to the financial operation of the loan, and the effect on the exchanges, adding to that the argument of his right hon. Friend the Member for Pontefract, that every operation of the public expenditure should be represented in our accounts as expenditure, Her Majesty's Government had entirely failed to make good any argument for the presentation of a Bill which they admitted themselves had reference to a state of the Indian finance which the Under Secretary of State assured them was now passed away. The finances were, the hon. Gentleman had said, much improved; and, that being so, there could be no justification for the present measure.

Question put.

The House *divided*:—Ayes 137; Noes 125: Majority 12.—(Div. List, No. 194.)

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

EAST INDIA LOAN (£5,000,000) BILL.

(*Mr. Raikes, Mr. Edward Stanhope, Mr. Chancellor of the Exchequer.*)

[BILL 197.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. E. Stanhope.*)

SIR GEORGE CAMPBELL rose to object to the Bill, and contended that it could not be sufficiently considered at that stage of the Sitting. There had been no discussion of it, and he wanted some explanation of it. [*Cries of* "Agreed!"] He was not prepared to agree to a Bill involving millions without some discussion. His opinion was expressed by the Amendment which he had placed upon the Paper; and which, if he had the opportunity, he would submit to the consideration of the House—namely,

> "That in view of the difficulties caused by excessive changes in the relative value of gold and silver, advantage should be taken of the proposal of the United States to settle a standard calculated to steady the value of the precious metals, the Government of India undertaking to continue the free coinage of silver if the United States will do likewise."

He admitted that, up to a certain point, the abundance of silver was not in all respects an evil to India; that so long as the rupee did not fall below 1*s.* 8*d.* or 1*s.* 6*d.* in price the Government of India ought not to embark in heroic measures; but it might be wise, in the event of its falling still lower, to limit the coinage of silver, and so artificially enhance the price of the rupee. India was literally the only country where there was now a free coinage of silver. In America there was a limited coinage of silver; and as England and

America were alike interested in preventing an excessive fall in the value of that metal, he urged that terms should be come to between the two countries—namely, India and America—on the subject. The hon. Member was continuing, when——

It being ten minutes before Seven of the clock, the Debate stood adjourned till *this day*.

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CRIMINAL LAW — THE CASE OF EDMUND GALLEY.

MOTION FOR AN ADDRESS.

SIR **EARDLEY WILMOT** rose to call attention to the case of Edmund Galley, and to move—

> "That the innocence of Edmund Galley of the crime of which he was convicted at Exeter in 1836 has been established beyond all reasonable doubts; and that an humble Address be presented to Her Majesty, praying Her Majesty graciously to grant a free pardon to Edmund Galley."

The hon. Baronet said, the case had excited considerable interest, and he regretted that the Home Secretary had not thought fit to yield to the general expression of public opinion and the representations of the Lord Chief Justice of England with regard to it. No doubt, a long period had elapsed since the murder of Mr. May; but he (Sir Eardley Wilmot) had yet to learn that time sanctioned injustice and wrong, seeing that, in addition to the testimony of the Lord Chief Justice, they had the opinion of other eminent men that the accused had established an *alibi*, and that he had been improperly convicted. The facts of the case were these:—On the 16th of July, 1835, there was a fair held in the town of Moretonhampstead, situated some 12 or 14 miles from Exeter, and half-way between the latter city and a small village called Dunsford. That fair was attended by a substantial yeoman or farmer named May, who rode into Moretonhampstead, and who, having received various sums of money, set out at night from a public-house on his way home. Just outside the town there was a gate kept by a man named Nosworthy, and this man saw the farmer ride through the gate, perfectly sober. Between 12 and 1 o'clock in the morning two other persons, returning from the fair, saw, a little way up the road, a horse without a rider, and, subsequently, the farmer was discovered unconscious and insensible. He died. At first, suspicion rested on a man named Avery and a woman named Harris; but there was not sufficient evidence to fix the crime upon them, and the latter was eventually discharged, Avery being detained in custody for another offence. Subsequently, statements were made implicating a man named Oliver, who went under the name of "Buckingham Joe," and the man Galley, who at that time was in custody in Coldbath Fields Prison, and who was arrested in consequence of his having lost a tooth, and of his having answered to a description given by the woman Harris. They were apprehended, and tried before Mr. Justice Williams, at Exeter, in July, 1836. Oliver was defended by Mr. (now Sir Montague) Smith; while the case of Galley, who was a poor man, was taken up by Mr. Cockburn, the present distinguished Lord Chief Justice of England. During the trial Edmund Galley protested his innocence, and more than once was heard to say to his fellow prisoner, Joseph Oliver—"You know I was not there, and I don't know you." It appeared that the principal witness for the prosecution was a woman named Harris, who at the time was living with a man named Avery. She swore to meeting Oliver and Galley on the night of the murder near the place where, and about the hour when, it was committed, and recognized the prisoners as the men who jumped from a hedge, and murdered the man May. There was also some other evidence tending in the same direction. Charlotte Clarke, however, swore that Galley was not the "Dick Turpin" who was supposed, with Oliver, to have committed the murder. Galley was not defended; but a witness named Avery swore that Harris could not have seen the murder committed, because she was in Exeter with him at the time, and the murder was committed several miles outside that city. Both prisoners were, however, found guilty, and then Oliver, who had not said a word before in regard to Galley, addressing the Judge, said—"My Lord, you are surely not going to send this innocent man to the scaffold. He was not there, and I never saw him before until we were in gaol together." The strong protest of Galley, and the declaration of Oliver, made such an impression upon the counsel and one or two gentlemen who heard the case, that an effort was made at once to obtain a respite. Only 48 hours elapsed between the verdict and the time of execution; but a reprieve was obtained for Galley, and a Mr. Cherer, the shorthand writer, who took all the notes of the evidence in the case, got up every incident that could be obtained to prove an *alibi*, came up to London, and had an interview with the late Earl Russell, then Secretary of State for the Home Department, who deputed Sir Frederick Roe, then Chief Magistrate at Bow Street, to inquire into the *alibi* of the prisoner. Sir Montague Smith had stated that he felt such an interest in the matter at the time that he went down with Sir Frederick Roe to examine into the truth of the *alibi*, and he returned to London perfectly satisfied that the *alibi* was made out. In fact, he had written to say—

> "I am certainly of opinion, rightly or wrongly, that Galley's case was one of mistaken identity, and that he was wrongly convicted."

A magistrate saw Galley at the gaol, and the prisoner told him that on the day of the murder he was at Dartford in company with two men. Afterwards, Galley said he had recollected that there was a third man. There had been no time to communicate with Dartford; and, in the meantime, a letter came from Dartford stating that Galley, on the day in question, was at that place in company with three men. The evidence had satisfied the Lord Chief Justice, Sir Montague Smith, and others, that the *alibi* was distinctly made out. It had been suggested that Galley was committing a burglary on the night of the murder; and he (Sir Eardley Wilmot) had inquired if that were so, and found that there was no proof of the fact. The result, however, was, that the sentence of death was not carried out, being commuted to transportation for life—Oliver, in the meantime, having been executed—and he (Sir Eardley Wilmot) exceedingly regretted that, in the 19th century, he was obliged to ask pardon for an offence which had never been committed. He had hoped the Criminal Code (Indictable Offences) Bill would have been passed this Session. That measure provided for a Court of Appeal, which had long been due to justice, and, when once established, an innocent man would not have to go, hat in hand, to ask for pardon. After being two years in the hulks, Galley was, in 1839, sent to New South Wales, where he had passed his life as a convict. He bore his infliction till 1877, when a letter appeared from him, written to the prosecuting solicitor, pointing out that a man named John Longley had confessed on his death-bed that he was really the man who, along with Oliver, had committed the murder, and asking that something should be done to withdraw from him the stigma of being a murderer. The letter was published in an Exeter newspaper, and the result of it was the memorable and noble letter of the Lord Chief Justice, which had appeared in the public Press. He hoped that no mere adherence to precedent would prevent this case from being re-opened, for he thought his right hon. Friend the Secretary of State for the Home Department ought to feel proud to do an act such as that which was now asked. At all events, he hoped this House would see that a gross act of injustice was no longer allowed to remain without reparation; for, in his opinion, it was inconsistent with what was right that the man should, after all that had occurred, be obliged to have recourse to the Secretary of State for pardon, when, in justice, he was entitled to complete vindication. The hon. Baronet concluded by moving the Resolution of which he had given Notice.

MR. BULWER, in seconding the Motion, said, he had not intended to take part in the discussion, for he was not aware until a short time before he entered the House that the subject was to be brought forward. He would not go over again, either briefly or at length, the facts which had been so well placed before the House by his hon. Friend, but would content himself with a reference to the letter of the Lord Chief Justice, in which he referred to the evidence as excluding all reasonable doubt of the man's innocence, and he hoped the House would set some value on the opinion of so distinguished a man as the Lord Chief Justice. But that opinion did not rest there. It was corroborated entirely by that of Mr. Justice Montague Smith. He could hardly imagine that any Member of the House who had read the case, and had read the letter of the Lord Chief Justice, could entertain any doubt that a very gross wrong had been inflicted. Unfortunately, the mode adopted by his hon. Friend was the only one that presented itself to have this wrong set right; but he trusted that his hon. Friend would be successful, for he felt sure that every Member would recognize the true character of the Home Secretary in the concluding words of the Lord Chief Justice when he said—

> "I commend this case to that high sense of justice and humanity for which your administration of office has been distinguished."

Of course, the Home Secretary had given his anxious and earnest consideration to the case; but the grounds upon which the right hon. Gentleman grounded his refusal to interfere in the case appeared to be these:—All the facts, he said, before him, and upon which the recommendation of his Lordship was based, were, while fresh, and while Galley was under sentence of death, brought before Lord John Russell and Lord Denman, the Chief Justice of the day; and he said the question for him to decide was not so much whether he being in Lord Russell's position would have arrived at the same conclusion, as whether at this period of time, and so long after the case, he should on the same facts over-rule the solemn decision to which the then Secretary of State, acting under advice, came to. The matter had also been brought before his Predecessors, Lord Aberdare and Mr. Lowe, who had declined to interfere, and he must decline to over-rule their decision. Such were the reasons given by the Home Secretary; and he (Mr. Bulwer) thought the right hon. Gentleman had not, in his own justification, placed the case so high as he might have done, because in the letter of the Lord Chief Justice it would be found that he said—"The scene created a sensation difficult to describe, and left an impression never to be effaced." The right hon. Gentleman, therefore, might not unreasonably have supposed, after reading that letter, that the Lord Chief Justice had himself also, when in office as Attorney General, urged upon the Government of the day, but in vain, the duty of redressing this great wrong. Without trespassing longer on the time of the House he hoped that if the Secretary of State for the Home Department felt disinclined to over-rule the decisions of his Predecessors, the House of Commons, with an unanimous voice, would say to the right hon. Gentleman—"We will in this case relieve you from the responsibility."

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "the innocence of Edmund Galley of the crime of which he was convicted at Exeter in 1836 has been established beyond all reasonable doubts; and that an humble Address be presented to Her Majesty, praying Her Majesty graciously to grant a free pardon to Edmund Galley,"—(*Sir Eardley Wilmot,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. CAVENDISH BENTINCK said, he quite concurred in the opinion expressed by the hon. and learned Gentleman who spoke last (Mr. Bulwer), that there could hardly be a doubt but that there had been a miscarriage of justice in this case. After the strong opinion given by the Lord Chief Justice and Sir Montague Smith—and the facts of the case were such as we could all form an opinion upon—he would ask his right hon. Friend the Secretary of State for the Home Department whether he could feel himself justified in adhering to the determination to which he regretted to hear his righ thon. Friend had arrived? The only possible ground on which his right hon. Friend could refuse the appeal of the Lord Chief Justice was that he was bound by the decision at which former Secretaries of State had arrived. He hoped his right hon. Friend would exercise his own clear judgment in the matter; and, if he did so, he would add to the high reputation which he had acquired during his tenure of his present office.

Sir JOSEPH M'KENNA said, there had been no contradiction of the statement of facts which had been published on Galley's behalf. That statement had taken, in his (Sir Joseph M'Kenna's) opinion, the case clearly out of all rules based on precedent or official etiquette, confirmed as it was by the testimony of one who was now Lord Chief Justice; and he could not understand on what ground the Secretary of State for the Home Department could refuse a recognition of Galley's innocence. He ventured to say that there was not a Member of the House who had paid attention to the facts of the case who was not convinced that Edmund Galley was an innocent and a wronged man.

MR. A. MILLS said, a largely-signed Memorial was sent to the Home Office from his constituents of Exeter in favour of a cancellation of the sentence of Edmund Galley. That Memorial was signed by leading men of all parties in politics, including the Bishop and the Dean of Exeter. He awaited with interest the statement of the right hon. Gentleman the Secretary of State for the Home Department. Possibly, they would be told that the House of Commons was not the place to canvass judicial decisions. He (Mr. A. Mills) agreed with that as a general rule; but there were exceptions, and he thought there were exceptional circumstances in this case which should lead them to take it up. When the Lord Chief Justice thought it right to join in the public expression of opinion in reference to this matter, he did not think it could be said that the House of Commons was debarred from taking notice of the case because successive Secretaries of State had declined to re-open the matter. An error had been committed in this case, as there had been in the case of a man named Barber, who was wrongly convicted of having forged a will. Upon a full consideration of Barber's case, compensation was given to him out of the public funds. This matter had been brought before Parliament very fairly and properly; and, though so long a time had passed since Galley's conviction, he saw no reason why justice should not be done. The question here was, whether or not such facts had not come to the knowledge of the Court and the public after the man's trial as led to a change in his sentence, that required further investigation should take place? The advocates of the abolition of capital punishment would find a strong argument in support of their view, if it were to be held that a case of this kind once decided could not be re-opened.

MR. MUNTZ said, they were now called upon, upon mere hearsay evidence, to reverse the proceedings of a Court of Justice 44 years ago, and if the Motion were successful he trusted that it would not be made a precedent, because the Lord Chief Justice of England had written a letter expressing disapproval of the conviction. What would be the result of the House of Commons taking up all such cases? It was peculiarly the duty of the Secretary of State for the Home Department, after consultation with the Judges, to inquire into these cases, and advise the Crown as to the exercise of the Prerogative of mercy, and they should leave it to him. They were asked to set up a dangerous precedent; and unless he heard something more forcible and argumentative than had already reached him he should certainly vote against the Resolution.

MR. ALDERMAN COTTON hoped that, although so long a time had elapsed since Galley's sentence, the House would not think that its time had been wasted if, by this Motion, justice should be done to that unfortunate man, who was most unjustly punished many years ago. Galley had clearly proved an *alibi*, and he asked that the sentence upon him should be reversed, and that his character should be restored to him. If the same facts appertaining to this case were to-day laid before the Home Secretary with reference to a case of recent occurrence there could be but one opinion as to how he would act. Having regard to the old age of the man and his character, he trusted that justice would be done, and that there would be no hesitation in accepting the Motion.

MR. LOWE said, that the judicial theory upon which the House was proceeding was a very singular one. They were asked to consider what was done many years ago upon the evidence then produced, and on which a conclusion was arrived at. They were bound in judicial matters, when considering the guilt of prisoners, to get the best assistance which the study of a life in a laborious profession could give, to hear patiently what could be said, to turn matters every way, and only to decide on the best evidence that could be produced. But what was the course the House of Commons was asked to adopt? The House was now asked to reverse all that was done. An hon. Member rose and narrated what he believed to be the facts; a number of hon. Gentlemen came down obviously with minds made up—[*Cries of* "No, no!"]—Hon. Gentlemen who cried "No!" might answer for themselves, but not for those who remained silent. [An hon. MEMBER: How can you answer for them?] He answered for them, because before a quarter of the case had been stated they had loudly cheered. They could not have decided upon what they had heard, but must have decided upon consideration beforehand. That was not the way justice could be done. It was no slight matter to overrule the decisions of illustrious Judges upon a narrative which they had never given themselves the trouble to verify. These cases ought not to be decided upon the opinions of any Member of Parliament. That was not the way in which justice ought to be administered. If the House of Commons should be called upon to administer justice, there would be great danger that injustice would be committed. The case was tried before Mr. Justice Williams, a most distinguished Judge, and the verdict of guilty was confirmed by Lord John Russell—no mean authority—after consultation with Lord Denman, Lord Chief Justice of England. They came to the conclusion that there was a doubt which justified the remission of the capital sentence; but was not sufficient to enable them to recommend that the man should be pardoned. Upon that ground the case had stood for 43 years. The prisoner had long since exhausted his sentence; and the question now was, whether it was wise to overthrow the decision of those eminent authorities, not for the purpose of relieving this man from punishment—because he no longer suffered any—but merely for the purpose of allowing him to come to England in order to make it as clear as possible that he had been wrongfully convicted? The question deserved more reflection than it seemed to have received. It was whether the House of Commons would undertake, on the single statement of an hon. Member, and without a particle of evidence, to overthrow the decision of two eminent Judges, given under a sense of the deepest responsibility? It was no pleasure to him to say anything in disparagement of Galley; but the truth was that he belonged to the criminal class. He might or might not have been innocent of the crime of which he was accused; but if he was charged with it, it was because he was a man who belonged to those classes amongst whom they looked for crime. ["Oh, oh!"] The Lord Chief Justice, in his letter, said that the man was a rogue and vagabond, possibly a petty thief, and, besides that, a card-sharper. Even supposing these statements to be true, they furnished no reason why he should have been found guilty of this great crime; but, on the other hand, they supplied a reason why there should not be so much sentimentality on the subject. If Galley had been wrongly convicted, he certainly had assisted very much in his own conviction by the irregular and improper life which he led. ["Oh, oh!"] Everybody knew that when a man was charged with a crime his previous life was looked into; and if it was found to have been an irregular and a wicked life, he was on that account convicted on less evidence than another man would be who had not led such a life. It was something like contributory negligence on his part. Yet now, when the Judge who tried the case had been dead for many years, when most of the witnesses had also disappeared from the world, and when it would be impossible to have a thorough investigation of the circumstances, the House was called upon to reverse the decision which had been arrived at. This was not the way in which justice ought to be administered; and he (Mr. Lowe) deliberately maintained that it was better that Galley should be precluded for the remainder of his life from returning to England than that the House should, in this violent way, overrule the decision of those who gave the most solemn consideration to the case. In his judgment, although clearly in its power, the House would be ill-advised to do anything of the kind. ["Oh!"] He was aware that he was speaking to an audience, nearly every man of which was opposed to him, but that would not deter him from speaking his mind. Still, he thought that by assuming this sort of power in a hap-hazard way they would be doing much to undermine the respect for evidence which was the foundation of all real justice. For some little time he (Mr. Lowe) himself held the office of Home Secretary. He was then asked to go into this case, but he refused to do so. ["Hear, hear!"] He refused because, even if he had come to a decision contrary to that arrived at by Lord John Russell and Lord Chief Justice Denman, he should not have deemed it his duty to interfere after the lapse of so long a period of time, and therefore he declined to go into the question at all. [*Laughter.*] If hon. Members thought that it was the right and the duty of a Secretary of State, who only held office for a short period, to overthrow the decision of the most respected and most honoured men who had lived in this country, they would be adopting a principle which would render the continuity of administration of justice in this country impossible. *Interest reipublicæ ut sit finis litis.* If, under these circumstances, persons like himself, who had no claim whatever to any legal acumen, were allowed to overthrow the decisions of great lawyers, they would be vested with a power which they ought not to possess. He should be no party to anything of the kind. Knowing that hon. Gentlemen generally were utterly opposed to everything he had said, he thanked them for permitting him to express his opinion. He could not allow the right hon. Gentleman the Secretary of State for the Home Department to fight this battle without saying that his refusal to re-open this matter was entirely in accordance with the precedents and the usage of the Home Office, and did the right hon. Gentleman great credit.

Mr. A. MARTEN said, he approached the consideration of this question with great anxiety, for everyone would desire to be on the side of mercy when practicable, and still more to give his voice for correcting a wrong, if wrong had been done. But he felt bound to point out that hon. Members were asked to affirm, without preliminary investigation, that the innocence of this man had been entirely established. They were asked to address the Crown in that sense; but it appeared to him that they ought to pause before they entertained such an application. On the present occasion, they were asked to sit practically as a jury to listen to a merely *ex parte* statement, made after the lapse of many years, and to express, on a sudden, a decision adverse to that which had been arrived at by those who were charged by law to investigate the subject. Alarming consequences might follow from the adoption of such a course, and the injustice that would be perpetrated by means of it would be far beyond any mischief that could be incurred by a wrong decision of the proper tribunal. [*Continued cries of* "Divide!"] He ventured to hope that hon. Members would not press for an instant Division, but would allow him to state his views, for he was arguing strictly to the point, and he would promise to trespass very little on the time of the House. It was absolutely necessary that they should consider the character of the Motion, and the dangerous precedent which would be set if it were acceded to. One very great merit of that House was, that they had always most carefully distinguished between the legislative functions with which they were charged and the administrative functions which they intrusted to the Ministers. The responsibility which fell on the Ministers must be discharged by them, and could not be shaken off from their shoulders by anything which occurred in that House. Although, on the present occasion, the application was one for mercy, such applications could not be expected to always be one-sided; and it by no means followed that the next application made to the House might not be an application to reverse, on the ground of undue leniency, the decision of a Home Secretary, and to insist on a more severe judgment being come to. This supposition was by no means extravagant, for the mind of the public, or of sections of the public, was at times as strongly moved towards severity as ever it was towards mercy in the case of a criminal or supposed criminal. In this case, it had been assumed that Galley was either guilty of murder, or that he was absolutely innocent. There was another view of the case, however, which might have been taken by the eminent persons who were charged with the duty of determining what should be done, and which was entirely consistent with the decision they expressed. An *alibi* was a most excellent defence, but one which it was most difficult to prove, and also one which was absolutely fatal, if it failed to be established. His conclusion was that Lord Denman and Lord John Russell were satisfied, from the facts before them, that the *alibi* in this case was not established. The chief magistrate of Bow Street at the time was expressly sent down to arrive at the truth of the matter and to inform the Secretary of State upon it; and although they had not that gentleman's report its effect must have been that the *alibi* was not established. No doubt, the conclusion of Lord Denman and the then Secretary of State was that Galley, although implicated in the crime, was not the man who struck the fatal blow; and, therefore, they adopted the intermediate course of recommending that his life should be spared. If the authority of the present Lord Chief Justice—and nobody would deny its great weight—was appealed to in this case, on the other hand, the very high authority of the Lord Chief Justice for the time being, who was charged with the responsibility of investigating this very matter, could also be cited. The hon. Baronet who had brought forward this question said that if they had had the Criminal Code they would have had a Court of Criminal Appeal, and the case would have been determined in that way. But if they had had a Court of Criminal Appeal, its decision would have been absolute and final; and, in this instance, they had had a substitute for such a tribunal in Lord Denman and the Secretary of State, who had reviewed the matter at the time. On those grounds, and thanking the House for their patience in hearing him, he hoped that the House would pause before it came to the decision, without any preliminary inquiry, that the innocence of Edmund Galley had been established.

Mr. JOHN BRIGHT: Sir, I shall say very little about this case; but there are one or two facts with which I am struck. My right hon. Friend the Member for the University of London (Mr. Lowe) said the discussion was all on one side. It was all on one side, I presume, because hon. Gentlemen present had heard the conclusive statement made by the hon. Baronet opposite (Sir Eardley Wilmot). I am not sure we are competent to decide, or even to call upon the House to decide, whether this man was innocent or guilty. We must, however, recollect that this man Galley was a very poor man. My right hon. Friend says that the Lord Chief Justice declares that he was a card-sharper. Card-sharpers are not usually poor men, I dare say; but it is also said that he was a man of the criminal class. It seems to me that is very much in his favour, because I am quite sure, unless the Lord Chief Justice had the very strongest conviction in favour of the view he took, he would not ask the attention of the Home Secretary to a man who was a criminal and a card-sharper. Galley was a very poor man, and he was tried in barbarous times, at a time when counsel was not allowed to address the jury, and at a time when he had no counsel to defend him; at a time when we had only just passed the practice of putting men to death within 48 hours after the sentence was pronounced. The main witness against him was a woman named Harris—a woman of a very abandoned character. She was then a convict under sentence, and, as I understand, she had a free pardon given to her in the Court in order that she might be able to give evidence. That, I think, does not add to the value of her testimony, but rather tends in the opposite direction. At the time when she says she saw the man it was very late at night, nearly midnight. It must have been dark, and her evidence was not given for many months afterwards. The rest of the evidence, I understand, consisted very much of the testimony of persons of a similar character. Now, what happened immediately after the trial? Doubts have not now arisen for the first time, 40 years afterwards; doubts arose on the very evening of the trial, and the almost universal opinion was that there had been a miscarriage of justice, and that the man Galley was not the murderer. We are told that nobody ought to interfere, and my right hon. Friend spoke of illustrious Judges. Of course, all Judges are illustrious, and I know nothing to the contrary of the Judge who tried this case. I do not even know his name, therefore I do not say a word against him in particular. But the verdict of the jury was rejected by the Home Secretary of that day, because he would not have commuted the sentence of the Judge if he had concurred in it. It therefore can hardly be wrong that a Home Secretary of this day, or the House of Commons, should come to a decision which will be consistent with the honour of Parliament, with the mercy that rests in the Crown, and with the consideration there is in this country for justice rightly administered. We are told that all the facts have been before Lord John Russell when he was Home Secretary. I do not wish to say one word deprecatory of the character of Lord John Russell, or any other Home Secretary; but I say the Office of Secretary of State for the Home Department is greatly over-worked, and there are many cases which come before it which cannot be sufficiently investigated. I have known such cases myself, and I have the greatest sympathy for a Home Secretary, and I wonder there should be any man to undertake the Office, with the vast responsibilities upon him of deciding cases of life and death. What has happened within the last 12 months? Four prisoners were sentenced to death on one evening, and I have heard one of the most eminent lawyers of this House say there was not a particle of evidence against one of the prisoners, and there was doubt whether a murder had been committed at all. The same Judge sentenced a man to death who has since been released. I can mention another case of a man who had recently been convicted of murder at Manchester. That man had been sentenced to be hanged; but his punishment was commuted by the Home Secretary, and it was subsequently discovered that he was innocent of the crime of which he had been convicted. [Mr. LOWE: Hear, hear!] Those are matters which ought to make us very careful. My right hon. Friend says "Hear, hear!" and for a very good reason; he has stood upon the dignity of his Office, and has not gone into the case at all after Lord John Russell, Sir George Grey, and possibly, also, Lord Aberdare had refused to re-open it. But if I wanted anything to convince me of the force of the case brought before us it would be the speech which he has delivered. My right hon. Friend has said that the man is now suffering no punishment, except that he cannot return to England. But surely, if he cannot return to England, because he has the mark of Cain on him and the brand of a murderer, it is a punishment which if we can relieve him of we ought to do so. The man himself apparently felt that he was a marked man, and had not even allowed himself to marry till the letter of the Lord Chief Justice had, as it were, purged his character. Hon. and learned Gentlemen opposite, and my right hon. Friend, may talk of precedents and of the danger resulting from the interference of the House in a case of this kind; but it is the case of a poor man who has always denied his guilt, and for whose ignorance all due allowance ought to be made. Besides, the hon. Baronet the Member for South Warwickshire has conclusively shown that there is a great probability that justice has miscarried. I ask the House what they intend to do? The lapse of time makes the weight of Galley's unjust punishment all the more excessive, and the House ought to encourage the Home Secretary to recommend the Crown not to bring this man back to England, not to take him out of slavery, but to say there has been a miscarriage of justice, and that for the rest of his life there will be taken off from him the dark spot which has so long rested upon him. In that way proof will be given to the world that, whatever may be the failings of our Judicature—and it has many failings, as Courts of Justice in all countries have—whenever its errors are discovered, the Parliament of England, even at the last hour, will do its best to remedy the damage which has been occasioned, and to do justice to an unfortunate, poor, and long-absent man.

MR. ASSHETON CROSS said, he was able to assure the House that this was a case that he had considered with the greatest possible care; and he could also assure his hon. Friend (Sir Eardley Wilmot) that he fully appreciated the motives that had led him to bring it forward. He knew that the general feeling of the House would be that if any substantial injustice had been done it should be remedied as quickly as possible. With that feeling he fully agreed. He should regret as much as anyone a miscarriage of justice, if such a case were proved; and whether it had happened recently, or 40 or 50 years ago, he should be the first to come forward and endeavour to have it remedied. But, of course, in all such cases the House, instead of being carried away by feeling, ought to act as a Judicial Court. His faith in the House, however, as a High Court was somewhat shaken when he heard cries of "Divide!" after a two hours' discussion of this case. Hon. Members must remember that this was a case in which a man had been tried for murder, and murder of the gravest kind, and the case had probably occupied days before the committing magistrates, and certainly occupied the Assize Court more than one day; and yet, when an hon. Member, after a two hours' debate, was urging reasons why the favour of the Crown should not be shown, there were cries of "Divide!" [Mr. JOHN BRIGHT said, that hon. Members were objecting to a waste of time.] Waste of time! But the speaker was simply trying to put before the House what had occurred. That was not the temper in which the High Court of Parliament should discuss—if it was going to discuss—questions of that kind. The right hon. Gentleman opposite (Mr. John Bright) had made a great deal of the fact that Galley was a poor man, and that, consequently, he could not procure witnesses or counsel; but he was tried before Judges, as many others had been, and he had received every possible leniency and liberty which he could have from the Home Secretaries. He was prepared to say that this man had not suffered one iota from the fact that he was poor. That he was tried when he could not have counsel was his fate in common with many other people; but the fact that the law had been changed since was no reason why they should interfere in this particular case. Galley was tried with a man called Oliver, who was afterwards executed; but this man throughout protested not only the innocence of Galley, but his own innocence as well; and in the end, the innocence of Galley having been so frequently asserted, the Judge who tried the case, a most eminent man, thought it right to recommend the Secretary of State to make inquiry into the matter, and it was in consequence of that recommendation that the sentence was respited in order that the inquiries might be made. He (Mr. Assheton Cross) deeply regretted that the name of the Judge had been mentioned in the way in which it had been. The hon. Baronet (Sir Eardley Wilmot) had said——

Sir EARDLEY WILMOT said, he had said that Mr. Justice Williams was appointed by Lord Brougham, and had been the junior counsel in Queen Caroline's case.

Mr. ASSHETON CROSS said, the object of making that statement must have been to disparage the Judge. ["No!"]

Sir EARDLEY WILMOT rose to explain, but Mr. Assheton Cross refused to give way, notwithstanding that there were loud cries of "Explain!"

Mr. SPEAKER pointed out that the hon. Member could explain, if he desired to do so, after the right hon. Gentleman had concluded his observations.

Mr. ASSHETON CROSS did not wish to pursue the subject. The hon. Baronet had made a point of this respite, and had argued that because he was kept alive there was a doubt about the matter; but the respite was in accordance with a well-established rule of the Home Office which existed at the time. That rule was a very humane one, and it was, that once a sentence was respited it was never carried out, because it was thought to be altogether wrong to keep such a fate hanging indefinitely over a man's head, pending the inquiries; and even if the Secretary of State were perfectly satisfied that a prisoner was guilty of murder, that prisoner so respited was still transported for life. Therefore, Lord John Russell did not depart from the usual practice, and the fact of transportation did not prove that there was any doubt. If the man had been hanged, it would have been contrary to all precedent, and the country would not have tolerated it. It, therefore, must not be inferred that Lord John Russell had any doubt in the matter simply because the man was transported. It was the misfortune of the man that he was a thimble-rigger, and he tried to prove that he was at a fair in Kent at the time he was supposed to have committed the murder at a place which he could not have been at. There could be no doubt that the trial excited a good deal of interest in Exeter at the time. But although that was so, still he was bound to say that he did not think the House was the proper place to argue a criminal case. The House was constituted in a totally different manner at that moment to what it was when the hon. Baronet was speaking, and it was impossible that a body composed of various persons at various times could form a judicial opinion on such a matter. The result, however, of that excitement was that a gentleman went down and collected a large amount of evidence, which was thought to be in favour of the prisoner. That was submitted to Mr. Justice Williams, who considered it very carefully. The Secretary of State at the time was Lord John Russell, and he took the course which he (Mr. Assheton Cross) thought all sensible Secretaries of State would have done. Having no more interest in maintaining the conviction of this unfortunate man than he (Mr. Assheton Cross) had, the noble Lord sent the whole case, with the evidence, to Lord Denman, who went into the whole case, and Sir Frederick

Roe was afterwards sent down to examine the witnesses. Sir Frederick Roe reported to the Home Office that the evidence was not entirely substantiated. Sir Frederick Roe expressed no opinion, one way or the other, to the Home Secretary as to what he thought about the case. What more could Lord John Russell have done? He consulted the highest Official on the Bench, who went into the case most thoroughly, and reported that, in his opinion, the verdict was right. Lord John Russell, therefore, refused to interfere. Mr. Aglionby, who was a Member of Parliament, brought the case, in 1838, he thought, before Lord John Russell, who again went into it, and again consulted Lord Denman, who again considered the case, and was of opinion that the verdict was right. No Secretary of State could act against circumstances like that. The man was not sent abroad till 1839, and in 1839 the matter was brought before Lord John Russell again by Mr. Cherer. After giving much attention to the case, Lord John Russell said it did not present any reasonable ground to justify him in recommending a commutation of the sentence of transportation. He (Mr. Assheton Cross) had, he thought, shown that Lord John Russell had taken every possible pains to consider the question, he had consulted everybody he could—the Judge who tried the case, the Chief Justice, and Sir Frederick Roe—and, having done that, he had come to the conclusion which he had stated to the House. That being so, no evidence whatever had been brought before himself (Mr. Assheton Cross) which could tend to prove that there was any change in the circumstances of the case as it had been submitted to Lord John Russell. No new facts of any description had been brought under his notice, or of any of his Predecessors, which it could fairly be said ought to have any effect in altering the decision which had been in the first instance arrived at. He would, therefore, ask the House to consider for a moment the position in which he was placed. He would say at once that, notwithstanding the respect which he entertained for his Predecessors, if any new facts had been brought before him he should not have had the slightest hesitation in giving them their due weight. If he thought an injustice had been done, he would, he hoped, have been one of the fist persons in that House to seek to remedy it. But no new facts had been brought under his notice, nor, so far as he was aware, under the notice of Lord Aberdare, or of his right hon. Friend opposite (Mr. Lowe). What, under those circumstances, was he to do? Had he a better means of forming an opinion on the matter than Lord John Russell had then? Mr. Justice Williams, Lord Denman, Sir Frederick Roe, and most of the witnesses were dead. Where was he to get his information? Or was it to be supposed that the Lord Chief Justice of the present day had a better opportunity of forming a judgment on this case than had the Lord Chief Justice for the time being? Was there any Judge to whom he could refer who knew the facts of the case so well as the Judge by whom it had been tried? Where was he to obtain the knowledge which would justify him in saying that Lord John Russell had come to a wrong decision? He might add that when Lord John Russell had to deal with the question, he had to consider a very different point from that which was now laid before him, and the noble Lord came to the conclusion that there was no reasonable ground for doubting the justice of the verdict. What he, however, was now asked to do was to give Galley a free pardon, on the ground that his innocence had been undoubtedly proved. But although he sympathized very deeply with the man when he asked that the stigma might be removed from him before he died, he could not, by agreeing to the Motion, endorse the view that the whole proceedings at the trial had been wrong from beginning to end, and that the innocence of the prisoner had been completely established. He could not say that he believed the Judge who tried the man, that the Chief Justice who advised on the case, and the Secretaries of State who pronounced a decision upon it, were all in error. When the case came before him on the letter of the Lord Chief Justice he felt bound to go into the case himself; he had read through every single paper over and over again, and he did not feel justified in advising the Queen to take the course which the Motion proposed. There was no man for whom he had a higher admiration than he had for the present Lord Chief Justice; but he had also a very high opinion of Lord Denman, than whom no man was more careful of the interests and liberty of the subject, and who, if he had entertained any reasonable doubt on the subject, would have advised the Secretary of State accordingly. The present Lord Chief Justice did not speak of this case as a case which had been brought before him as Lord Chief Justice; he spoke of it as one which he had heard when a young man at the Bar, and which he said had made a great impression upon him. The Lord Chief Justice, some 30 years ago, made one of the most brilliant speeches in that House—a speech which raised him to the post of Attorney General. He held that post for some years, and had every possible opportunity of expressing his views to the Government of the day. ["Oh!"] Yes, he had. His hon. Friend who had spoken earlier in the debate said he had not the smallest doubt that the Lord Chief Justice had availed himself of that opportunity when Law Officer of the Crown and had pressed it on the Secretary of State. With regard to that, he had held, and most worthily filled, the office of Lord Chief Justice for many years; but there was not a line to any Secretaries of State which showed that he had brought the case before them, either when Lord Chief Justice or Law Officer of the Crown. Now, if the Lord Chief Justice had such a strong conviction with respect to the case, it was marvellous that he had not brought it before the Government of the day. The Lord Chief Justice said, in his letter, that he was present at the trial, and it would have been impertinence on his part, then a very young barrister, to interfere in a matter with which he had no professional or personal concern. He (Mr. Assheton Cross) said it was as much his duty then, when the matter was still *sub judice*, to have applied to the Secretary of State, and not to have waited for 43 years, when no inquiry could be made. He had had an opportunity of conversing with barristers who were present, and one of whom was a distinguished Officer of the House, and that gentleman assured him that among a large Bar the opinion prevailed that this man was just as guilty as the other. Well, that being so, and the question having been decided 43 years ago, he did not think he had it in his power to do what the hon. Baronet asked. The Lord Chief Justice said that the man was wholly guilty or wholly innocent; that the evidence of an *alibi* brought forward at the trial, if it only created a reasonable doubt of the prisoner's guilt, would, in our more merciful administration of the law, procure his acquittal. Now, if they were in that House to discuss the *alibi* which it might take a week to try in a Court of Justice, he was bound to say that the whole question of an *alibi* could never be investigated properly unless in the presence of the witnesses. In point of fact, the *alibi* never was tried. The test of the *alibi* was in the cross-examination, rather than in the examination-in-chief; and if they, sitting in that House, in 1879, without any power of cross-examination and without seeing the demeanour of the witnesses, could, 43 years after the trial, determine that the evidence on which the verdict of the jury preceeded was wrong, he was bound to say they would inflict a blow on the administration of criminal justice in this country from which it would not soon recover. He had no new facts before him; he had no better opportunity of forming an opinion than those who had preceded him in Office; he had come to the same conclusion as Lord John Russell, and he could not advise the House to accept the Motion.

Sir HENRY JAMES hoped that it was unnecessary for him to make any protestations to the House that he was not going to answer the right hon. Gentleman the Secretary of State for the Home Department in any spirit of Party criticism. They were asking him to review a decision which, in no sense, could be considered his, but was rather that of his noble Friend, Lord Aberdare. He thought that that was sufficient guarantee that the supporters of the Motion were in no way actuated by Party motives. He had listened to the speeches of his right hon. Friend the Member for the University of London (Mr. Lowe) and of the right hon. Gentleman the Secretary of State for the Home Department with considerable bewilderment. The right hon. Gentleman the Member for the University of London had said it was not the duty of the Secretary of State for the Home Department to consider the facts of the case at all. Though regretting the possibility of a fallible decision by a previous Secretary of State, yet he did not think it the duty of the present Secretary of

State to make any inquiry into the case at all. From that opinion the right hon. Gentleman the Secretary of State for the Home Department entirely differed, saying it was his duty—and he (Sir Henry James) was sure he had conscientiously discharged that duty—to make every inquiry into the facts of the case. But the right hon. Gentleman left the matter there, and asserted that it was not within the province of the House to enter into a judicial inquiry, and that it was impossible for the House to determine whether a man was innocent or guilty. But though he took that course and deprecated discussion, yet, with singular power and great ability, which made him bound to recollect his early training in the Profession to which he (Sir Henry James) belonged, the right hon. Gentleman stated every fact in support of the guilt of the man. While one view of the case had been that stated by the right hon. Gentleman, he trusted the House would forgive him if he (Sir Henry James) stated the view he took of the matter. He quite agreed that it was impossible to demonstrate with absolute certainty the innocence of any man. Then, the right hon. Gentleman said that the Motion asserted the innocence of Edmund Galley as established; he, however, then went behind the words of the Motion, and alleged that his innocence was not established. But might they not say that there were grave doubts as to the guilt of the man, and, therefore, they might take the matter into consideration. If that would meet the views of the right hon. Gentleman, he hoped that the hon. Baronet the Member for South Warwickshire (Sir Eardley Wilmot) would be willing to amend his Motion in that manner. With the permission of the House, he would make one or two observations with respect to the guilt of the man Galley. The charge was made against him under most peculiar circumstances. A man made a communication to a fellow-prisoner, to the effect that he had committed the murder together with a person named Galley. The police, without seeking for a person answering to the description of the other murderer, found a man by the name of Galley and placed him in the dock. A woman of bad character, and a confederate of the first prisoner, identified him, though it was said he was much altered. Upon that evidence the two prisoners were tried together; and it was well-known that if two prisoners, one innocent and the other guilty, were tried together, their cases were considered by the jury as a whole. At all events, the jury did not discriminate the evidence against each prisoner, but convicted them both. Edmund Galley, at the time, stated that he had been brought from a distant part of England and knew nothing of the matter. The other prisoner confessed at the last moment, and said "I am guilty, but this man convicted with me was innocent." Everyone, except the unknown gentleman whose name had never been disclosed, who witnessed that trial, had expressed his belief in the innocence of Galley. A Petition in his favour was signed by thousands of persons. Again, the present Lord Chief Justice, then a young man, was present in Court, and was convinced from what took place at the trial, and subsequently, that the man was innocent. What reply did the right hon. Gentleman the Secretary of State for the Home Department make to that? He said that they should not set aside the judgment of the committing magistrate. But that had been set aside by his own confession. The committing magistrate now asserted his belief in the innocence of Galley. The right hon. Gentleman said that if any new circumstances could be established which should prove the decision of the previous Secretaries of State to be wrong, then he would reverse that decision. Was he aware of the fact that Sir Frederick Roe, a magistrate of great experience, had expressed himself entirely in favour of the innocence of Galley? Sir Frederick Roe was sent down by the Home Office, not to express an opinion on the case, but to act as a mere scribe and take down the evidence of the witnesses. It was his duty merely to send their depositions to the Home Office. That accounted for Sir Frederick Roe not reporting to the Home Office in favour of the convict. But the right hon. Gentleman must be aware that Sir Frederick Roe expressed his decided opinion to Sir Montague Smith that the guilt of the man was not established. Sir Frederick Roe had merely to examine the evidence, and he was as impartial as could be desired; but he did express to Sir Montague Smith—who gave the Lord Chief Justice authority to make the statement public—his opinion of the truth of the evidence proving the man to be innocent. What answer did the right hon. Gentleman make to those new facts? The right hon. Gentleman said he was bound to listen to the decision of the Judge who tried the case. He (Sir Henry James) wished to speak with all respect of that learned Judge; but he might say that his chief reputation in the Profession was that of being the most comic Judge that ever sat upon the Bench. But he must protest against the doctrine of the infallibility of Judges. The Lord Chief Justice of England, who was most jealous of the privileges of his order, yet did not hesitate to come forward against the decision of one of his body, when he thought that injustice had been done. But, then, the right hon. Gentleman relied on the concurrence of Lord Denman in the verdict after reading the statements of witnesses he had never seen, and he put that judgment against the opinion of Sir Frederick Roe, who had heard and examined the witnesses. Again, the present Lord Chief Justice did hear the testimony of the witnesses upon the trial, and saw the demeanour of the prisoner, and heard the confession that fell from his fellow-prisoner. He was moved by what he saw and heard, and his opinion, supported by that of Sir Frederick Roe, who heard all the witnesses, must have far greater weight than the mere concurrence of Lord Denman in the verdict. He could not help feeling that Lord Denman was asked to review the judgment of a Colleague, and that it was a delicate matter for one Judge to condemn the view held by another. But what did the right hon. Gentleman the Secretary of State for the Home Department say with regard to the Lord Chief Justice? He was not going to defend the Lord Chief Justice from criticism; it was unnecessary. But the right hon. Gentleman said, why did the Lord Chief Justice not make application to the Government before? He (Sir Henry James) must protest against that doctrine. It was not the duty of an unknown barrister to make representations to the Government. There were about 120 barristers upon the Western Circuit at that time, and he would undertake to say that 115 of them believed Galley to be innocent. But it was said the Lord Chief Justice had brought his mature judgment to bear upon the question, and had neglected at the time to call the attention of the Government to the case. At that time the Lord Chief Justice had no position, and it was not his duty to interfere in the matter, and his opinions now ought not to be criticized because he did not write that letter when he was 35 years of age. There was a great deal more that might be said upon this subject; but he did not wish to detain the House further. They had been told that the House should not enter into a consideration of that question in a judicial spirit. He, however, hoped that hon. Members would look at that matter in a judicial light, and vote according to their convictions, and not from any Party stand-point. Let them consider the position of the unfortunate convict. He was asking for something more than money—he was asking for the opinion of the House that there was so much doubt as to his guilt that he was entitled to be relieved from the odium under which he had been so long suffering. By establishing the innocence of Galley no injury would be done to the reputation of any Minister, nor to society; and he hoped that the House would, at last, do justice to a man who had so long suffered from a grievous miscarriage of justice.

SIR LAWRENCE PALK said, with regard to this matter, he could, perhaps, give more evidence than any other Member of the House, the man who lost his life having been one of his father's tenants. He was returning from Moretonhampstead fair to Dunsford when the supposed murder was committed. He (Sir Lawrence Palk), being at that time very young, could, therefore, speak with no more certainty than belonged to hearsay; but the report at the time was that the man was not knocked from his horse, but fell from it, and was afterwards plundered of the money in his possession. It was true that there was the evidence of a woman of very bad character, who said she saw the murder committed; but, from his personal knowledge, although the present features of the locality might not be exactly the same as they were formerly, he ventured to say that it would be almost impossible for a person to have lain hidden from observation, and yet to have seen the murder committed, for this reason—that at the spot where the supposed murder took place there was a dense copse on both sides of the road. His right hon. Friend the Secretary of State for the Home Department had said that the reason why Galley was respited and transported was that there was a certain doubt as to his guilt, and that having been once respited he could not be executed. But he (Sir Lawrence Palk) believed that the reason of his transportation was, that in the minds of almost all the public in those days—and it was to be remembered that they were talking of circumstances which occurred many years ago—there existed very great doubt as to whether or not the man Galley was present. Such, at all events, was the impression which he knew to have always prevailed in the county. But he wished to say a little more than this. When the man Galley was asked if he had anything to ask the witnesses —and reading it now with a thorough knowledge, or rather recollection, of what had taken place, he was the more forcibly struck by its significance, he replied—

> "My Lord, what questions can I ask them? I know nothing of the matter; I know nothing of the people; I never was down in these parts in my life; how should I know what questions to put to them?"

Of course, he could not know what questions to ask. The part of the country in question was extremely hilly and woody, and this would render it impossible for a stranger to ask a single question as to the locality in which the murder was supposed to have been committed. Passing to the statement of the man convicted, it was very much in favour of Galley. He said—"My Lord, you are not going to send an innocent man to death?" and then added, looking down, as he (Sir Lawrence Palk) well remembered, as if in pity and scorn at the little man opposite—

> "My Lord, do you think when I was going out to do a deed like this that I should have a weak little fellow like this for my companion?"

Galley, as far as his information went, was utterly incapable of knocking from his horse a man like May. No doubt, two men sprung from the side of the road, but it was, in his opinion, very doubtful whether any blow was inflicted that caused his death; on the contrary, he believed that the man fell from his horse, that he was rendered insensible, and afterwards plundered. On that part of the matter there was, he thought, no doubt. But, rightly or wrongly, the man Galley had suffered a very severe punishment; and although he could not agree in any censure being passed upon the right hon. Gentleman the Secretary of State for the Home Department, or his Predecessors; although he believed that the man had had every consideration paid to him; and notwithstanding his firm belief that justice had been done, yet he (Sir Lawrence Palk) thought there was a doubt as to the fact of his guilt. If that doubt did exist, he urged the House to step forward, in the character of mercy, and forgive this man. The House, he thought, could hardly be asked to vote—

> "That the innocence of Edmund Galley of the crime of which he was convicted at Exeter, in 1836, has been established beyond all reasonable doubts,"

because it was utterly impossible for any man to say that; but it might very properly agree—

> "That an humble Address be presented to Her Majesty, praying Her Majesty's gracious pardon for Edmund Galley."

SIR EARDLEY WILMOT said, he could assure the House that he exceedingly regretted that anything which he had said in the course of the narrative of facts in this case should have been looked upon as reflecting upon Mr. Justice Williams. He had purposely avoided making any mention whatever of the learned Judge who administered justice in the case. With regard to the suggestion of the hon. Baronet the Member for East Devon (Sir Lawrence Palk), he was willing, with the permission of the House, to amend his Motion by substituting, instead of it, the words—

> "That as reasonable doubt exists as to the guilt of Edmund Galley of the crime of which he was convicted at Exeter, in 1836, an humble Address be presented to Her Majesty, praying Her Majesty graciously to grant a free pardon to Edmund Galley."

He would, if the House would allow him, move that Amendment.

THE CHANCELLOR OF THE EXCHEQUER: Sir, my hon. Friend (Sir Eardley Wilmot) places the House in some difficulty by proposing, at this period of the evening, to change the Motion which he has submitted to the House. I cannot think the House will accept the change which he proposes, and before the House comes to a Division upon the Motion actually before it I wish to say, without attempting to go into the merits or details of this particular case, that what we are now called upon to do is to take upon ourselves the responsibility of re-trying this man. We are asked voluntarily, and of our own accord, to do that which the House of Commons has never been called upon to do before. We have no evidence before us upon which we can form an opinion for ourselves; and we have, therefore, no opportunity of cross-examining witnesses. We have not even the advantage of being a Court which has sat continuously during this discussion; because, as my right hon. Friend the Secretary of State for the Home Department has reminded us, many of us who are present now were not present during the entire period of this discussion. But does not that fact show how impossible it is for a Court like the House of Commons to undertake the review and reconsideration of a case like the present? In these circumstances, I feel that the House will not come to a decision with a full sense of the responsibility attaching to them.

Mr. MITCHELL HENRY felt the extreme difficulty of the House of Commons sitting as a Court of Appeal to decide the guilt or innocence of persons convicted in the Criminal Courts. But he had been very much struck with the statement of the hon. and learned Member for Taunton (Sir Henry James), that Sir Frederick Roe, who was sent down to take evidence, was impressed with a conviction of the truth of the *alibi* which he was sent to investigate. He could not believe that the right hon. Gentleman the Secretary of State for the Home Department had been aware of that fact, or he would not have put before the House the statement which he made. But in the case of his not having been aware of the circumstance, he (Mr. Mitchell Henry) maintained that these were grounds for asking him to come forward spontaneously, and state to the House that facts of which he was before ignorant having come to his knowledge, if this Motion were withdrawn, he would take the matter into consideration. If that were done, he (Mr. Mitchell Henry) should certainly not vote for the Motion of the hon. Baronet opposite (Sir Eardley Wilmot), because he felt strongly that the House was not competent to say whether or not the man Galley was guilty. If it was desirable to ascertain that point, surely the proper way would be for the Secretary of State to refer to some of the Judges, or other persons, who, by their experience in such matters, could advise him if he were in doubt. But he thought it was impossible to abstain from voting on this question as long as the right hon. Gentleman said he would take up his position without knowing anything of the facts, and that he would not move.

Sir HENRY JAMES said, the statement he had made was that Sir Frederick Roe, who was accompanied by Sir Montague Smith, inquired into the truth of Galley's statement. He had authority for saying that both he and Sir Montague Smith were satisfied of the truth of Galley's statement, and that the *alibi* was true.

Sir JULIAN GOLDSMID appealed to the Government to allow the hon. Baronet (Sir Eardley Wilmot) to amend his Motion, as a matter of common fairness. He used the term common fairness, because, as the Motion then stood, the House was asked to express a *quasi*-judicial opinion that this man was innocent. Now, there were many hon. Members who entertained the opinion that they could not fairly do that, but who could say with safety that they believed there was more than great doubt in this matter, and that the time had come when the Home Office should consider that mercy might well be exercised. He therefore hoped the Government would not stand in the way of the hon. Baronet, but allow him to amend his Motion so as to meet the wishes of the majority of the House.

Mr. LOWTHIAN BELL said, there was no doubt that by adopting the Motion of the hon. Baronet as it stood the House would be constituting itself a Court of Appeal, and that, in his opinion, was a position which the House would not wish to occupy. He could not, therefore, support the principle involved in the Motion; but would suggest that, as doubt appeared to exist as to the guilt of Edmund Galley of the crime of which he was convicted at Exeter in 1836, an humble Address be presented to Her Majesty, praying Her Majesty graciously to direct that further inquiry be made into the case of Edmund Galley.

Mr. J. S. GATHORNE-HARDY said, it would be more than unfair towards hon. Members of the House, by any technical objection to the wording of an Amendment, to prevent them coming to a fair and distinct opinion upon the question before them. He earnestly hoped that no advantage would be taken upon the mere wording of the Amendment to evade discussion.

MR. ASSHETON CROSS said, the only Petition which had been presented to him from this man, who was, as far as his information went, at that moment perfectly happy, and undergoing no punishment whatever, asked that he might have a declaration of absolute innocence. That was also the Motion of his hon. Friend (Sir Eardley Wilmot); but to that Petition and that Motion he could not assent, inasmuch as by doing so it would be declared that the whole of the proceedings which had taken place had been wrong *ab initio*.

MR. BIRLEY would suggest that the first sentence of the Resolution should be withdrawn, and that the House should confine itself to declaring—

> "That an humble Address be presented to Her Majesty, praying Her Majesty graciously to grant a free pardon to Edmund Galley."

MR. CALLAN hoped the suggestion of the hon. Member who had just sat down (Mr. Birley) would recommend itself to the favourable consideration of the Secretary of State for the Home Department. Upon the statement of the right hon. Gentleman, "that Galley was living in perfect happiness," he (Mr. Callan) would remind the House that the Lord Chief Justice, in his letter, stated that "the man had worked for many long years as a slave upon the public roads." His present position would, therefore, seem to be a change from public to private slavery.

SIR EARDLEY WILMOT said, he was willing to accept the suggestion of his hon. Friend (Mr. Birley) to drop the first part of his Motion, and simply ask that a free pardon be granted.

MR. SPEAKER said, the hon. Baronet was, doubtless, aware that no portion of the Motion could be withdrawn without the consent of the House.

SIR EDWARD COLEBROOKE said, the House had got into a muddle by being asked to express an opinion as to the innocence of the person in question, and would stultify itself still further by adopting the course now suggested. The hon. Baronet had better be advised by him, and move the adjournment of the debate. If not, he (Sir Edward Colebroke) would propose to withdraw a Resolution which, in his opinion, would throw discredit upon the whole of these proceedings.

MR. HALL said, it seemed to him that the proposed Amendment to the Motion of his hon. Friend (Sir Eardley Wilmot) might very readily be accepted. All that was wanted was that the man should get a free pardon. The House did not want to express any reason why the pardon was granted, because they desired to guard themselves against interference with the decision of a Court of Law.

SIR EARDLEY WILMOT asked leave to withdraw the Amendment.

Question proposed, "That the Amendment, by leave, be withdrawn."

MR. ASSHETON CROSS wanted to have the matter quite clearly understood both by the House and the country. The hon. Baronet the Member for South Warwickshire (Sir Eardley Wilmot) had had his Motion upon the Paper for a long time, and it contained an absolute assertion of the innocence of this man. That was the only way in which the case had ever been presented to him, either by Petition from Galley himself, or his friends. He desired it to be quite clear that if the Address were assented to the assertion of innocence was withdrawn. He must have certain assurance on that point. He asked the House not to come by a round-about way to the conclusion they did not mean to arrive at. The hon. Baronet had moved that it was clearly proved that the man was innocent. He (Mr. Assheton Cross) said it was not, and that it was wrong to come to that conclusion.

MR. SPEAKER: I wish to point out to the House that the Question before it is, whether this Amendment shall, by leave, be withdrawn? The right hon. Gentleman the Secretary of State for the Home Department has been allowed to make an explanation on that point; but a second speech on the Question is certainly not in Order. Is it your pleasure that the Amendment be withdrawn?

MR. COURTNEY thought it was very much to be desired that they should come to a clear conclusion on this matter. The hon. Member opposite (Sir Eardley

Wilmot) had withdrawn the opinion expressed in the first part of the Resolution; and it was, surely, unnecessary that they, as a body, should express any opinion on that subject. That was a thing from which they shrank as a body; but, of course, each Member of the House was at liberty to retain his own opinion, and the hon. Member (Sir Eardley Wilmot), amongst others, to retain his. The Secretary of State for the Home Department did claim that this Motion was not to be made the foundation for any claim on the part of Galley himself; but that man, from the first, had protested his innocence, and he, surely, must be allowed to remain in the same belief. All that was now asked of Her Majesty's Government was, that it would permit the House of Commons, acting from many different motives, to agree to this Resolution, "That the Royal Prerogative of the Crown should be exercised," an opinion in regard to which a vast majority of the House were clearly of one opinion. Therefore, he hoped that Her Majesty's Government would allow the hon. Member (Sir Eardley Wilmot) to withdraw his Amendment and propose the latter half of it. He did not wish to add any more; but if Her Majesty's Government persisted in refusing to allow it to be withdrawn, they could then act upon the suggestion of his hon. Friend the Member for Manchester (Mr. Birley). They could, on their own Motion, negative the Motion to go into Committee of Supply, and then alter the proposal of his hon. Friend as they chose. He hoped, however, they would not be driven to that necessity.

Mr. MELDON wished to say just one word, in order that they might not be led astray by the statement of the Secretary of State for the Home Department. The issue the right hon. Gentleman seemed to raise between the House and himself was that what they were about to do was to make a declaration of the innocence of this man, while what they really sought to do was to have this man put in the same position as if there had been a verdict of acquittal by the jury. It was unnecessary to prove his innocence to entitle him to that acquittal. If a reasonable doubt was raised in the mind of the jury as to the proof, the onus of which was on the prosecution, he was entitled to an acquittal, no matter how suspicious the case might be, and though he might fail altogether to prove his entire innocence. What they wanted to do was to deal with this question of his innocence exactly now as if no such verdict had been given. It was admitted now that the respite was granted because there were not only reasonable doubts, but very substantial doubts, thrown upon the conviction at the time. What was sought to be done was really to give proper effect to the respite, and they could do that by giving the man a free pardon, without going into the question of whether his absolute innocence had been proved or not. He hoped they would not be led astray by the false issue raised by the right hon. Gentleman.

Question put, and *agreed to.*

Amendment, by leave, *withdrawn.*

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying Her Majesty that she will be graciously pleased to grant a free pardon to Edmund Galley,"—(*Sir Eardley Wilmot,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. ASSHETON CROSS said, he had no objection to this part of the Amendment. ["Order, order!"] The conduct of hon. Members in thus interrupting did not say much for the judicial spirit of the House of Commons. He assented to this Motion only on this distinct ground that the House had declined to express an opinion as to the man's innocence. ["No, no!"] He did not wish to interfere with the private feelings of any hon. Members; but the House had declined to express an opinion. ["No!"] The feeling of the House was, though not expressed in a judicial spirit, that having compassion for this old man—["No, no!"]—well, at any rate, it was true—that the House feeling very much compassion for this old man—he did not know what the feeling of the old man might be; but that was the feeling of the House generally. Hon. Members might vote as they liked; but that was how he should accept the Amendment for himself. The question now presented had never been presented to him before. No Petition had ever been presented to him for mercy; but the man had declared his innocence, and, as he understood, the House had declined to express that opinion. He was now prepared, therefore, as far as that was concerned, simply as a matter of mercy to recommend this old man to a pardon.

MR. JOHN BRIGHT: The matter stands a little differently from the view in which the right hon. Gentleman puts it. I am not going, in the least degree, to find fault with anything he has said; but it seems to me, after the declaration he made, that he himself, looking over the Papers, could not affirm that Galley was innocent, he was quite right in saying that it was out of his power to recommend to the Crown that a free pardon should be granted to the man on the ground of his innocence. If he had come to that opinion, it is quite clear he could not take any other course, and it is also quite clear that the House could not compel him to take that course without consequences that his Friends around him would be very sorry to see. But I must say that it would not be true to say that the great preponderance of opinion was not in favour of the hon. Gentleman who introduced this case (Sir Eardley Wilmot) that there had been a miscarriage of justice. Many hon. Members did not hear that statement; but I confess I was never more impressed by any statement I heard in this House, and I think it would be a great misfortune, and something like cruelty, if a miscarriage of mercy should go to this man in his far-off home, accompanied by an expression that, after all, the House did not believe he was innocent. I think the preponderance of opinion of the House is that he was innocent, and that the doubts that were raised at the time of the conviction show that it should not have taken place. Let us, indeed, if we are going to recommend this act of mercy, let us not send it across the sea under conditions which shall strike out of it all that is merciful, and leave the idea that we are really doing it for an old man, and that it does not matter very much what becomes of him. The right hon. Gentleman has taken a very wise course in accepting this Motion, and I hope none of us can say anything to make it appear that we wish to continue the charge and the bonds by which the soul of this man for 45 years has been troubled.

LORD HENRY SCOTT said, the right hon. Gentleman opposite (Mr. Bright) had declared that the preponderance of opinion was in favour of the innocence of this man. If that was so, why had the Motion been withdrawn? He must say, he thought the Secretary of State for the Home Department had been treated with very little generosity in this matter. Everyone who had heard his speech must have seen the manner in which his heart was moved in regard to this man; but his strong sense of justice and the patient inquiry he had made had forced him plainly to the conviction he had declared. He had listened without prejudice to the statements on both sides of the House, and when the right hon. Gentleman declared his readiness to accept the Motion for mercy, and stated at the same time that he could not say he was convinced of the man's innocence, it was treating him with very scant courtesy to behave towards him in the way they were now doing. In his opinion, nothing could be worse than for the House of Commons to constitute itself a Court of Law, and to pass an opinion upon facts not existent at the present moment, but facts which existed upwards of 40 years ago. Besides, he did not like the practice of bringing forward a Motion and not putting it to the test of a Division, and then afterwards declaring that it expressed the opinion of the preponderance of the majority of the House. It was not generous to appeal to his right hon. Friend for mercy, and, when he gave it, to turn round on him in this manner and throw it back in his face.

MR. SULLIVAN was of opinion that it was very undesirable to misrepresent intentionally, or unintentionally, the motives which had actuated the House to ask for the withdrawal of the Motion. He took it that they were acting on very intelligible grounds. They did not think it was well to declare this man innocent, as if they had been a Court of Appeal, and they were substantially satisfied that justice would be met by a free pardon. He appealed to the Secretary of State for the Home Department, who on every occasion when life, death, or liberty had been in issue had shown a most kindly and careful spirit to do this act as graciously as possible, and not to wound the feelings of an old man by saying he acted merely as a matter of compassion. The time was past when they could remit anything from this man's sentence, and what he wanted really was a reparation to his conscience, and that he hoped would be given as graciously as possible.

THE CHANCELLOR OF THE EXCHEQUER: I hope this conversation, for it is really only a conversation, will not be prolonged, and especially that it will not become of an acrimonious character. I shall just make this remark. A Resolution of this House, and especially a Resolution implying an Address to the Crown, is always a matter of gravity; and it must be taken to express on the part of the House something which the House agrees to express, and that something must be indicated in the language of the Resolution, and not by what may be in the minds of hon. Members. Now, Sir, the first Resolution proposed was one which would have made an affirmation which my right hon. Friend, after giving careful consideration to the case, declared it was impossible for the House to accept. Under those circumstances, it lay with the House, if it chose, to persevere with that Resolution, and to put it to the test of a Division, in spite of the declaration of my right hon. Friend that he could not accept it. For whatever reason we need not now inquire, the hon. Baronet the Mover of the Resolution proposed to withdraw it, and the House unanimously agreed to its being withdrawn. Therefore, that has put an end to it. In place of it is substituted an Address, which my right hon. Friend is ready to concur in adopting. That Address is an Address praying the Crown to grant a free pardon to this person; and my right hon. Friend is perfectly prepared to be a party to the House passing that Address, and, no doubt, such an Address will receive proper consideration. I understand that, in the event of anything being done upon that Address in the nature of a free pardon, a free pardon will be granted, not accompanied by conditions such as appear to be contemplated or suggested by the right hon. Gentleman opposite the Member for Birmingham. [MR. JOHN BRIGHT: No, no!] Well, then, I will say such as were protested against by the right hon. Gentleman opposite.

MR. JOHN BRIGHT: I was only hoping that it would be an exact description of the feeling of the House. I presume that the pardon will go in the ordinary form.

THE CHANCELLOR OF THE EXCHEQUER: The pardon will go in the ordinary course, no doubt, and it will be one which I have little doubt will be in accordance with the feelings and wishes of the House. But I think we should be pursuing an entirely mistaken course, if we were to carry on a conversation which is very painful, on a matter which, I hope, has been closed by the statement of my right hon. Friend.

Question put, and *negatived.*

Words *added.*

Main Question, as amended, put.

Resolved, That an humble Address be presented to Her Majesty, praying Her Majesty that She will be graciously pleased to grant a free pardon to Edmund Galley.

To be presented by Privy Councillors.

SUPPLY—COMMITTEE.

SIR HENRY SELWIN-IBBETSON asked the House to resolve itself into a Committee of Supply, in order that some small progress might be made in the Estimates. He believed the Notices on the Paper did not lead to any contentious matter; and he would remind the House that, at that time of the year, it was almost absolutely necessary, in the interests of the Public Service, that they should lose no opportunity they could possibly obtain of advancing Supply.

IRELAND—REPORTED APPEARANCE OF THE COLORADO BEETLE.

QUESTION.

MAJOR NOLAN said, he had a Question he ought to have put to the Chief Secretary for Ireland. There was a report in the "Morning Post" that the colorado beetle had appeared in the County of Cork, and he wished to know if the report were true? The right hon. Gentleman must be informed by this time if the report were true, and he should be glad to know what steps had been taken for the destruction of this insect?

MR. J. LOWTHER: Sir, I do not happen to have seen the newspaper report to which the hon. and gallant Gentleman refers. When he kindly gave me Notice of his Question to-day I telegraphed over to Dublin to know if anything had been heard of the matter, and the reply I got was to the effect that no information other than that obtained through the ordinary channels of information had reached Her Majesty's Government; but that steps had been taken to insure these insects being examined to discover whether it was the formidable insect to which reference had been made. I will take care to inform him of the result of these inquiries, and I hope it will turn out there is no truth in it.

SIR GEORGE CAMPBELL hoped the Government would undertake that the next Order of the Day (the Indian Loans Bill) would not be proceeded with.

THE CHANCELLOR OF THE EXCHEQUER: Certainly not.

Motion made, and Question proposed, "That this House will immediately resolve itself into the Committee of Supply."—(*Mr. Chancellor of the Exchequer.*

AGRICULTURAL DEPRESSION (IRELAND).—OBSERVATIONS.

MR. O'DONNELL said, he did not propose, at that late hour, to go on with the Motion which stood in his name; but he desired to correct an impression which was current in this country. He had proposed to call attention to the severe agricultural distress now existing in Ireland, and to move—

> "That the power of landlords to exact by eviction in times of scarcity the rents imposed upon tenants in prosperous times' is a fertile source of discontent and dissatisfaction, and a gross violation of natural justice and equity."

County after county in Ireland had placed on record, by great public meetings, its sense of the imminence and seriousness of the crisis; and, accompanying these protests, had been declarations in favour of a reduction in rents. It had been represented in this country that the demand of these meetings was in favour of the abolition of rents and the non-payment of rents. He was not going into the question; he only wished to place on record his emphatic testimony—which was also the emphatic testimony of many Irish Members—that no such cry was being raised in Ireland. In England, reductions of rent, to the honour of landlords, were taking place, while in Ireland that was only happening to a very limited extent. An idea was abroad that Communism was prevalent in Ireland. He only wished to say again that no such thing had been mentioned at public meetings, and that all the tenant farmers asked and pleaded for was a just reduction of rents in some proportion to the severe and exceptional crisis.

MR. P. MARTIN said, he wished to correct a misapprehension which appeared to exist as to the extent and nature of the demand made by Irish tenants for fixity of tenure. If Englishmen moved amongst the farming class in Ireland and attended their meetings, as he had done, they would find no desire existed amongst the farmers as a class to become the possessors of property by unfair means. They simply claimed legal protection and safety of tenure in their holdings, and an adjustment of rents on fair and equitable terms. Various causes peculiar to Ireland rendered it necessary that legislative protection should be given against capricious or arbitrary rent-raising by giving the tenant the power of appeal in the matter of rent to some important tribunal. The justice and expediency of this had been conceded in principle by many Members who, though opponents of the measure brought in by the Member for Cork (Mr. Shaw) had themselves, in this very Session, introduced Bills which professed to prevent the landlord from arbitrarily imposing on a tenant such conditions in respect to his holding as the landlord thought fit to impose. It was idle to attempt to represent the claim thus made as communistic in its character. It was but too true that strong and uncalled-for expressions had been used by the Chief Secretary for Ireland; but he (Mr. P. Martin) could not believe that the sentiments of the Chief Secretary had the assent of the Government, and they were certainly at variance with the expressed opinions of many Members who sat on his own side. Indeed, so far as related to the Land Question in the Province of Ulster, there had been presented already by Conservative Members, obedient to the command of those who occupied the Ministerial Benches, a succession of

Tenant Right Bills, which, if they meant anything, were Bills to settle, on equitable bases, the grievances under which the tenant farmers suffered. Actual support was given by the Government to a Bill to create tenant right in the Northern Province at the expiration of, and notwithstanding the contract created by, lease. It was high time for the House to give a fair consideration to the demands made by the tenantry in the other Provinces in Ireland. If it was imagined that there was a general outcry for the abolition of rents in Ireland, the House was utterly deceived, and any man who asserted it was giving false information. What the farmers had asked in their meetings was the same thing as that stated over and over again in that House. What they wanted in the other parts of Ireland was the extension of the Ulster custom in its pristine integrity. In Ireland a totally different state of things existed, as compared with England. In Ireland they had not a resident gentry to aid their tenants in times of difficulty; but in too many instances they had completely absentee proprietors, who looked only to the amount of the rent-roll. The tenants, he admitted, had prejudiced their interests by over-bidding for land; but how could that be helped, when the land was the only resource to which they could look? In Ireland they had no manufacturing pursuits, and so they were compelled to over-bid for land. It was all very well to praise freedom of contract in the abstract. But the question was, having regard to the circumstances and past history of Ireland, and the tenure of land in that country, was that principle to be permitted uncontrolled power in regulating dealings in land? On the contrary, over and over again, it had asserted that it could not. He heartily believed that if the House would carefully and diligently search out an equitable adjustment of this difficulty, the great number of those speeches preaching disaffection to British rule would be at an end, and the Irish people would see that Parliament was anxious to arrive at the true solution of the difficulty. Tenant right had created the prosperity of the North. Why not, then, boldly extend it to the rest of Ireland? Was it likely to spread content that the Government should sanction a Bill which caused in the Northern part of the Island tenant right to spring into existence, despite contract, and to leave in the other parts of Ireland the tenant at the mercy of the landlord? Why, then, should not one law be applied to the whole country? Let similar principles in respect to tenant right prevail over the entire country. The Bill of the noble Lord the Member for the County Down (Lord Arthur Hill-Trevor) gave a convincing proof of the esteem in which the Ulster custom was held; and he trusted the Government would extend, perpetuate, and strengthen that custom, not merely in the North, but over the entire country.

Question put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS VI.—SUPERANNUATION AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES.

(1.) £22,150, to complete the sum for Merchant Seamen's Fund, Pensions, &c.

(2.) £23,100, to complete the sum for Relief of Distressed British Seamen Abroad.

(3.) £395,000, Pauper Lunatics, England.

MR. RAMSAY called attention to the annual increase in this Vote. He had suggested to the Secretary to the Treasury, on a previous occasion, that any further increase in this Vote should not be allowed, and that a fixed sum should be paid, averaged on the payments of the last three years. Unless the Government would determine to stop this increase, he should consider it right to make a strong objection to the grant, and to obstruct the Vote.

SIR HENRY SELWIN-IBBETSON said, he could not give the definite pledge asked for by the hon. Gentleman. So long as the principle was maintained that the rate per head should be contributed by the Government, so long, he thought, it would be fair to ask for this Vote. He was quite aware there was a possibility that cases might be brought into the asylums which would not be there but for this Vote. [MR. SCLATER-BOOTH: No, no!]

His right hon. Friend said that was not the case, and that the grant was not treated in that way; and he could only conclude, therefore, that the increase was a proof that lunacy was on the increase in the country. He thought it was only fair that the Government should assist the localities in keeping up these asylums; and, under these circumstances, he trusted the Committee would accept the Vote.

MR. RAMSAY said, the hon. Gentleman was labouring under a mistake in assuming that the number of lunatics was on the increase. He denied that there was any foundation for such a statement. This increase was caused by the introduction of persons who properly should not be the recipients of curative treatment. Only such persons as there was a prospect of curing should be in the asylums. His opinion was borne out by the whole of the evidence taken before the Select Committee which sat upstairs; and if that were so, what justification could there be for permitting the annual increase of this grant? It was quite true that Parliament had sanctioned this grant per head; but that was no reason why it should be made permanent, and it was to its permanence and unnecessary increase that he objected. There should not be this annual increase without some corresponding advantage to the community. He admitted that it was the will of Parliament that it should be so; but he thought the principle was unsound on which the contribution was based.

MR. SCLATER-BOOTH could not admit for a moment that the state of these lunatics was not the subject of constant and earnest attention on the part of himself and his officials. So far as his observation and judgment went, it was not the fact that lunatics were detained in public asylums who ought not, by law, to be so. In the opinion and judgment of some hon. Members, there were many persons who would be better elsewhere; but according to the law and practice of England, on which the lunatic asylums were established, these persons had a right to be there, and they could not be removed without a change in the law. They were sent to the asylums by the authority of the magistrates, and there was not the slightest reason to suppose that any collusion or malpractices prevailed.

MR. WHITWELL said, the number of lunatics was clearly increasing, and in Scotland, especially, there was a constant increase. This year, the increase was 1,500. He hoped it would not be the case next year, too; but if it were, right hon. Gentlemen ought to feel it almost absolutely necessary to make some special Report on the matter. It was most unfortunate this large Vote was to be taken and passed at 2 o'clock in the morning, on a subject which required great consideration. But he was afraid, under the circumstances, they could not do otherwise than pass it.

MAJOR NOLAN thought this contribution by Government to the cost of asylums most admirable, and he had very little doubt that the whole of the Irish Members would always support such a Vote. He did not believe there was an increase in the number of lunatics in the country. The apparent increase was due to the fact that the lunatics went from the cottages to the asylums, which was a very good thing. They were very much out of place in the poor dwellings of their relatives. They were much happier in the asylums, and it was much pleasanter for their friends.

MR. A. MOORE said, he had no doubt that this was the true explanation of the increase in the numbers. These poor creatures were taken from their own homes, where they could not possibly be attended to, and placed in proper institutions. He demurred entirely to the statement that only cases which could be cured should be placed in asylums. What was, then, to be done with incurable lunatics? He might point out that while there had been a positive decrease in the number in Ireland, and only a small increase in the number in England, there had been an increase of eight times the number in Scotland.

MR. RAMSAY said, all these statements justified his belief that there was no absolute increase in the number of lunatics, but that people were getting their patients off their hands by sending them to these institutions, where they were locked up. He did not confine his remarks to England, but made the same complaint as to Scotland. The same causes were in operation there. As long as this system was permitted to continue, so long would they find this grant increase. Whatever hon. Members might say, he believed that incurable lunatics were much better in private houses than when confined in asylums.

Vote *agreed to.*

(4.) £71,760, Pauper Lunatics, Scotland.

Mr. RAMSAY said, he had some remarks to make on this Vote. [*Laughter.*] Hon. Members might laugh, but he believed they laughed simply because of their ignorance of the importance of the subject; and he said that with the greatest respect for those who took an interest in this matter. He maintained that the great increase in Scotland showed that there was something wrong in this Vote. ["Agreed, agreed!"] Indeed, he was by no means agreed, and if he were troubled with these remarks of impatience he should take the first opportunity of moving to report Progress.

Mr. P. MARTIN said, he admired the adroitness with which Scotch Members appropriated so large a portion of public money and took care to be the first to complain when they thought they could be with justice assailed. Therefore, no doubt, his hon. Friend the Member for the Falkirk Burghs (Mr. Ramsay) knowing well that a long standing Irish wrong existed which had been inflicted by the authorities in Scotland in sending over to Ireland each year Irish-born pauper lunatics, often dangerous, and obliged to be kept in chains during the passage, was wisely the first to criticize this Vote. The cruelty and illegality of this practice on the part of the Poor Law authorities in Scotland had been condemned over and over again in the Reports of the Irish Local Government Board. He trusted the remonstrances made would not be without effect. If any further instances of these illegal and cruel deportations come to his knowledge he would next year move to reduce the Vote.

Vote *agreed to.*

(5.) £22,095, to complete the sum for Pauper Lunatics, Ireland.

Major NOLAN asked whether any Bill was to be brought in to deal with the appointment of governors? Four years ago it was complained that the system was unsatisfactory by which the Lord Lieutenant appointed to these offices. That was hardly a good system; and though he knew it could not be done this Session he hoped if there was another Session the right hon. Gentleman the Chief Secretary would bring in a separate Bill proposing some other arrangement.

Mr. J. LOWTHER was understood to say that either a separate Bill would be brought in, or the matter would be dealt with in the Grand Juries Bill.

Vote *agreed to.*

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £11,647, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the support of certain Hospitals and Infirmaries in Ireland."

Mr. A. MOORE said, the Vote was for hospitals and infirmaries under the control of the Board of Superintendence; but one portion of the money was entirely outside the control of that body. It was the last item—£500, for the Female Orphan House. He wanted to know why the Vote was placed before Parliament in a manner which was not candid and not straightforward. He was not speaking of the present Administration, for the Vote had gone on for many years; but he wished to point out, however, that this money was voted as being administered under the Board of Superintendence, whereas this institution was not under the control of that Board.

Mr. J. LOWTHER said, this contribution had been made ever since the Act of Union, and he hardly thought the hon. Gentleman would like to disturb the arrangement. This formed a separate Vote at one time; but many years ago it was added to this Vote. He believed the institution thoroughly deserved support.

Mr. A. MOORE said, the right hon. Gentleman could not mean to say he was going to laugh out the question in a manner like that. This Vote was placed before the country as being under the authority of the Board of Superintendence, whereas it was not so.

Mr. J. LOWTHER said, he would inquire into the matter.

Mr. GRAY asked some Member of the Government to tell him where this House was, and what it was?

Sir HENRY SELWIN-IBBETSON said, the House was in the Circular Road, Dublin. It was supposed to hold about 200; but the number had since been limited to a smaller number. The Vote was begun in 1800, and had gone on ever since.

Mr. GRAY asked, whether the institution was devoted to any exclusive denomination? He knew most of the charitable institutions of Dublin, but could not recall this one to his recollection. The only one he remembered was one in South Richmond Street, outside which were most offensive placards with regard to the Catholic religion. That could not be the institution referred to. Was there any distinction on account of creed made at this House?

Mr. J. LOWTHER said, the only distinction he knew of was that males were not admitted.

Mr. P. MARTIN said, they were not to be cajoled in that way. His hon. Friend (Mr. A. Moore) had clearly hit a blot, and from this great reticence of the Government a suspicion was springing up in his mind that there was something wrong about this Vote. He should require some further information, or he would move to reduce the Vote by that amount.

Sir HENRY SELWIN-IBBETSON said, perhaps he did not give the Committee so much information as he might have done; but, at any rate, he gave it all the information he possessed. This Female Orphan House was established by the Latouche family in 1790, and it was incorporated by Statute in 1800. The original buildings were erected by private subscription, and there were Votes to it from various grants from Parliament between 1815 and 1817. Very nearly £4,000 was voted for alterations. The House was situated in Circular Road, Dublin, and originally held 200; but the Government limited the number to 160. But the number in the House in March, 1878, was only 71. The children were instructed in reading, writing, the simple rules of arithmetic, geography, history, plain and fancy needlework, laundry work, and other things, for the purpose of fitting them for situations as servants, in which capacity they were always apprenticed. The income consisted of the interest on securities, £380; the nation's subscription, £200; annuities, £117; church collections, £240; and sundries, £30; making in all, £967. In the annual grant-in-aid of £500, the Vote was £1,675 till up to the years 1834-5; from then till 1848-9 it was £1,000; and after that date it sunk to £500, at which it had remained ever since. This Vote was then a Vote by Committees up till 1856-7; afterwards it was placed on the Estimates, where it remained until the formation of the general Estimate now under consideration, and it was then put among the other hospitals and charities.

Mr. A. MOORE thought it would be a pity to divide; but he had no doubt this was a very old and respectable job, and it was time it was looked into. He was not prepared to charge the people who received this money with proselytism; but he did know this Vote was strictly sectarian, and that only children of one religion were admitted. If the Government would undertake to bring this institution under proper inspection, so that they might have security that the money was not being wasted, he would be satisfied; but without some such assurance as that he should certainly divide.

Mr. GRAY said, the Vote could not be passed in its present form, for this institution was assuredly neither an hospital nor an infirmary. The right hon. Gentleman the Chief Secretary had probably overlooked the question whether this institution was confined to members of any particular religion. He was curious to know whether the Charter confined it to any particular denomination. He tolerably well understood now what sort of place this was, from the description given.

Mr. CALLAN said, the statement in *Thom's Directory* was, that this was a Female Orphan House for destitute female children. It accommodated 120 children. Orphans from any part of Ireland were eligible. Besides being lodged, clothed, and maintained, they were provided with religious instruction. He would like to ask the right hon. and learned Gentleman the Attorney General for Ireland the nature of that religious instruction—whether it was exclusively sectarian, and whether the place had proselytizing tendencies?

THE ATTORNEY GENERAL FOR IRELAND (MR. GIBSON) said, he did not think it was any part of the duties of the Attorney General to know the teaching of every orphan school in Ireland. If, however, the chaplain was the Rev. Digby Cook, whom he knew to be a Protestant clergyman of high character, he assumed that it was mainly a Protestant institution. He did not know whether, by its constitution, it was confined exclusively to the children of Protestants; but he believed it was very well managed, and he was not aware it had ever been mixed up with proselytizing tendencies.

MR. CALLAN asked, whether any similar institution of strictly denominational character received a public grant of money? They had heard a good deal about giving money to public institutions not subject to inspection; and he thought it would be far better that this Vote should be postponed till the ordinary Irish Estimates next week, in order that this might be inquired into. He himself was under the impression that the Irish Votes were not to be taken till next week.

MR. J. LOWTHER said, that had never been stated from that Bench.

MR. CALLAN thought he had heard something to that effect.

SIR HENRY SELWIN-IBBETSON was in the recollection of hon. Members that he distinctly said he would take non-contentious Votes, and that Irish Votes would be taken on Monday. He maintained that the Government had given very full and distinct information about this Vote, and there could be no mistake from its being put under this head. It was the object of the Treasury in preparing Estimates to get them into distinct classes, and it would be hardly worth the trouble to treat this one sum as a separate Estimate.

MR. RAMSAY thought the suggestion that this orphanage should be under inspection in some way was worthy attention. He, however, thought, in the absence of evidence to the contrary, that this might be an excellent institution and very well managed. He begged to point out that while all this money was given to Ireland no corresponding grant was made to Scotland. That statement would relieve some of his hon. Friends of the feeling that Scotland was seeking what she was not willing to give to Ireland.

MAJOR NOLAN observed, that his hon. Friend was wrong. This grant was guaranteed under the act of Union, and Scotland enjoyed similar grants under her Act, although they did not run in the same way.

MR. J. LOWTHER could not admit that by placing this Vote in this place there had been any attempt to mislead the Committee; but he would promise to look into the matter, and, if necessary, to remove the Vote to another place.

MR. A. MOORE said, the Committee had been misled, because it was represented that this money passed through the Board of Superintendence when it did not. This being an institution for children, it could not be called an hospital or an infirmary; but it might be put under the head of "Industrial Schools." However, as the Government had promised to look into the matter, they might very well let the Vote pass.

MR. GRAY could not understand how a school could properly be described as an hospital. [An hon. MEMBER: Christ's.] The title was misleading; and it was also a mistake to set this Vote forth as subject to the Board of Superintendence.

MR. P. MARTIN pointed out that this Vote was stated as an entailed application of monies to be expended and accounted for under, and pursuant to, the provisions of the 19 & 20 *Vict.* c. 110, s. 16. But it was now plain this was a mistake. The institution was not one of those contemplated by the Statute, or under the control of the Board thereby appointed. It was established and maintained for the reception and education, apparently, only of those orphans willing to be brought up and trained as Protestants. The Committee had been given no valid reason why this exclusively denominational grant should be continued. He would ask the right hon. Gentleman whether, in fairness, he could proceed with this Vote or whether he would not postpone it till they had more full information about it?

SIR HENRY SELWIN-IBBETSON said, this all seemed to him very much like a storm in a tea-cup. What were the real facts? By a clause in the Act of Union, the United Kingdom was bound to provide a sum which had formerly been granted by the Parliament of Ireland. Amongst the institutions which the Parliament of Ireland handed over on this condition to the Estimates was this Female Orphan House. When, as far back as 1866, these Votes, which in the old days appeared separately, were collected together in one particular Estimate, and that, he ventured to say, was as fair a way as any that could be suggested. The description of each particular Vote clearly showed to any impartial man that the total was absolutely expressed in each one of the sub-heads, and the Vote was very fully explained.

MR. RAMSAY begged to point out, with regard to the remarks of his hon. and gallant Friend (Major Nolan), that the amount given to the Colleges and Universities of Scotland under the Act of Union was paid in consideration of property which those institutions possessed, and which was taken from them.

MR. BIGGAR moved to report Progress. They were promised that no contentious Votes should be taken, and this was a very contentious Vote. The only thing they could do was to go home. It was very irregular to vote large sums of money at that time in the morning.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again." — (*Mr. Biggar.*)

MR. CALLAN said, he found that this was an estimate of the amount required in the year ending 31st March, 1880, for charges connected with hospitals and infirmaries in Ireland under Act 19 & 20 *Vict.* c. 110, s. 16. He apprehended they were bound by that previous Vote. Now, on referring to the Act named, he found it was an Act for the better regulation of houses of industry, hospitals, and other places in Dublin supported wholly or in part by Parliamentary grants, and he found that Section 17, by which this Vote was legalized, was to the following effect:—

> "In case the Board of Superintendence shall neglect to make such General Rules for the space of three months after being required to do so by the Lord Lieutenant, it shall be lawful for the Lord Lieutenant, by writing under the hand of the Chief or Under Secretary for Ireland for the time being, to make such General Rules, and from time to time to repeal, alter, or add to the same."

Where in all this was there any authority for the Vote to the orphanage? Either this Vote had been placed where it was in ignorance, or it had been placed there by the assistants who had prepared it, for the purpose of misleading the House. It must be one of these two things. It was either then through ignorance, or for a worse purpose. However, he would only say, as far as these secretaries were concerned, and he would protect himself under no privilege in stating it, that he believed nothing was beyond their capability. He would certainly support the Motion to report Progress, for he thought it was only respectful to Parliament that the Chief Secretary should make some further inquiries.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, assuming this orphanage to come under the description of a hospital, the section was clearly wide enough to include it. It was a question of fact whether or not this particular orphanage was under the control of the Board. [Mr. A. MOORE: It is not.] Did the hon. Member speak of his own knowledge? [Mr. A. MOORE: There is a Parliamentary Paper on the subject.] He would put this Vote on broad grounds. It was obliged to be on the Estimates in consequence of a usage handed down to them from old times, beginning at or before the Act of Union. The institution was well managed, and was not in the slightest degree proselytizing, and if any further information were wanted it should be forthcoming frankly and freely.

MR. GRAY pointed out that the specific direction that all these hospitals should be placed under the Board of Superintendence was not complied with. Section 18 also directed that the Board should make a special Report upon each charity, which should be submitted to Parliament. [The ATTORNEY GENERAL for IRELAND (Mr. Gibson): Except when the Charter is inconsistent.] Clearly, at any rate, the Act was not complied with.

MR. A. MOORE said, he had spoken to a member of the Dublin Hospital Board, and asked him why they did not report on this institution, and the reply was that they knew nothing about it. The money did not go through their Office, and that they had, therefore, nothing to report upon.

MR. MELDON asked for the ruling of the Chairman on a point of Order. It was stated that this Vote was asked for under the authority of an Act of Parliament, and the Committee had no power to vote a single farthing unless it was to be spent under that Act. The Act which had been read provided that certain money which had been granted should be spent upon certain institutions under the control of the Board of Superintendence. Assuming that this was a hospital, and assuming everything else, except the one point which had been proved that this hospital was not under the control of the Board of Superintendance, he would ask, whether it was in the power of the Committee to vote this money? He certainly submitted it was not.

THE CHAIRMAN (Mr. SALT): There is no question before the Committee as to the legality of the Vote. It has been put in this way for many years, founded upon an Act of Parliament and custom, and I can see that it is perfectly legitimate that the Vote should be put before the Committee as it is drawn up in the Estimates.

MR. MELDON said, it had only now been pointed out, for the first time, that this Vote did not come under the Act of Parliament, and that this money was not under the control of the Board.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, assuming that this institution was covered by the definition of an hospital, and assuming that it got the money appropriated by Parliament, it would certainly come within the terms of this Act. It was another question whether the provisions of the Act were complied with; but that would not, in the slightest degree, impair the accuracy of the description at the head of the Vote. He would suggest to hon. Members that it was only reasonable they should allow this Vote to pass now, and on the Report either he or the Chief Secretary would be prepared to state exactly how the Vote stood.

MR. RAMSAY was going to make the same suggestion in order to facilitate Business.

MR. O'DONNELL had no objection to this Vote in consequence of its denominational character; for he did not see how an institution could be properly called educational, if religion were excluded. He did not, therefore, at all object to the item on that ground, even although there was no corresponding institution for Catholics; but he quite agreed that they should know whether the money was expended properly and under proper control.

MR. P. MARTIN said, that was the real point. Was this Vote under the control of the Board, or was it not? It was conceded now it was not. He did not consider the Committee had been given the information they were entitled to demand. If the Vote was not postponed, he trusted the Motion would not be abandoned.

MR. J. LOWTHER thought that it was better to postpone the Vote for the present.

Motion, by leave, *withdrawn.*

Original Question, by leave, *withdrawn.*

Motion made, and Question proposed,

"That a sum, not exceeding £123,944, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, to make good the sum by which the interest accrued in the year ended 20th November 1878, from Securities held by the Commissioners for the Reduction of the National Debt, on account of 'The Fund for the Banks for Saving' and 'The Fund for Friendly Societies,' is insufficient to meet the interest which the said Commissioners are obliged by Statute to pay and credit, during such latter mentioned year to the trustees of Savings Banks, and to Friendly Societies respectively."

MR. E. W. HARCOURT: Sir, before this Vote is allowed, I think it should be considered from what source the money which is asked for comes, and whether the transfer of this money is for the benefit of the people. I think this question is a social question of great importance, and social questions are apt to be put too much out of sight at present. All questions of this sort, which involve the well-being of great masses of the people, must be of great interest to every one of us. I will, therefore, ask the Committee to bear with me for a short time, while I attempt to lay the present position of Post Office Savings Banks briefly before them; and if that indulgence is granted, my grateful thanks will be due to the Committee, as I am aware the subject is a very dry one. All those who take any interest in encouraging thrift amongst the working classes must thankfully acknowledge that the Post Office Savings Banks are doing a great work in the country. What we wish to argue is that that work is capable of great extension. The Post Office authorities have laid down that Post Office Savings Banks can only be established where Money Order Offices exist. The consequence is that many places are permanently excluded from the benefit of Post Office Savings Banks. It would be impossible now to enter into any general statistics; but I will take the example of Cambridgeshire, which represents a fair average of the counties in England. In this county, we find that there is a Post Office in every 7 square miles, and a Post Office Savings Bank in every 22 square miles; that the places where there are Post Offices and no Post Office Savings Banks are as 81 to 38, rather less than two to one—that is to say, that one-third of the population are without Post Office Savings Banks. In 51 places there are no Post Offices, and the ratio of persons enjoying the advantages of Post Office Savings Banks are 11 to 7. 117,095 persons have Post Offices and Post Office Savings Banks; 58,338 have Post Offices, but are from 1 to 6 miles from a Post Office Savings Bank; 16,600 have no Post Offices, and are from 1 to 6 miles from Post Office Savings Banks. The sizes of places having Post Offices but no Post Office Savings Banks vary very much; and 2 may be named which, having populations each of over 2,000 people, are 4 and 6 miles respectively from Post Office Savings Banks. Many places, also, with Post Offices are smaller than those without them. Now, it is quite true that individual benevolence and individual energy often supply the wants that are created by the Post Office. I say created, because I think that sins of omission are as great as sins of commission. My contention is, that to depend upon individuals is not satisfactory. I could, if there were time, give instances of cases where the best intentions have been thwarted by want of capacity, want of order, want of business habits, and untrustworthiness of agents. I know of one collector who received 2*s*. 6*d*. on each subscription. The consequence was that, when £1 was offered him, he requested the donor to give him 5*s*. at a time, so that he might receive 2*s*. 6*d*. on each 5*s*. Another collector, who was parted with because it was supposed that he collected more than was required, set up for himself, no doubt, very much to his own advantage. I am well aware that the objection taken by the Post Office is a financial objection, and they say they are perfectly satisfied with the supplementary work which is being done for them by the public. It is very certain that where no Money Order Offices exist a different class of Postmasters can be employed; and, of course, any alteration would involve the payment of higher salaries. It is quite true that an old woman with 50*s*. per annum, and of average honesty, may be quite competent to pack letters and sell stamps, although she would not be fit to manage the affairs of a Post Office Savings Bank. In passing, I may remark that even officers employed by the Government to superintend the Post Office Savings Banks are often very much underpaid, and the consequence is they sometimes shift for themselves. They lend to the poor at a higher interest than is given by the Post Office Savings Banks, and cases of repudiation are not unknown, whereby great discredit is brought upon the whole system. It ought to be a rule that all such traffickers should be dismissed at once and for ever from the Public Service. The remedy, I take it, for the financial difficulty is to be found in the employment of peripatetic officials. An office where a Post Office Savings Bank exists might send out to villages within a certain radius, one evening in the week, a clerk, at a small additional pay, to conduct the Savings Bank work for a couple of hours; and, I think, in localities where the want of such a convenience is felt, persons might be found who would be willing to guarantee any extra expense for the first year or two. If the principle is accepted, it might be worked out progressively, according to the experience of the Postmaster General, and I think there need be no displacement of those old ladies at 50*s*. per annum, who seem so dear to the Post Office. I do not think, either, that it is unfair to suppose that, as the Post Office is now making a profit of £150,000 per annum out of the Post Office Savings Bank, simply by the difference of interest given and received, and through not giving interest upon sums below £1, that an extension of business would bring an increase of profits. I know I shall be told that the Post Office has already tried the experiment of peripatetic officials; but I contend that their experiment was no fair test—it was only made for a short time upon a shifting population of navvies, and we all knew that habits of thrift take time to grow, and I think the experiment was worthless. Well, now, what is done with the profit of £150,000 per annum which is made upon Post Office Savings Banks? Why, it is used to bolster up the Old Savings Banks, and to enable them to pay a higher interest than they can afford; and it is also employed as a means of pensioning the old actuaries. I hold this to be a very unsound proceeding. I know that the Post Office cannot escape at once from its liabilities respecting the Old Savings Banks; but if the Post Office Savings Banks are encouraged, and if they are established wherever Post Offices exist, the Old Savings Banks would in time be absorbed by them; for even now difficulty is found in obtaining fresh trustees as the old ones die out. Where the object is to encourage thrift the means must be taken to the very doors. Those who know anything about it know that the poor will not trudge three, four, five, or six miles after it, particularly when that very attractive mode of investment, the public-house, is close at hand. Sir, I do not think it is Utopian to hope that a great Department, making large profits, should either of its own energy, or by the force of public opinion, be induced to enlarge its border, and to embrace under its operations a large and important part of the community which at present it professedly ignores. Sir, it is not enough for a Public Department, which has the power, if it has the will, to fold its arms and to say that sufficient good is being done privately. I have already contended that private enterprize is not satisfactory. The Post Office may rejoice over the labours of others, but it cannot claim it as its own work. Such supineness is not creditable, and will not be treated with either respect or patience by the public. The Post Office can and ought to open a Post Office Savings Bank wherever a Post Office exists. It cannot shove off its own responsibilities on to the shoulders of others. The assistance to local penny banks given by the Post Office can only be looked upon as a makeshift; such is the system of registered letters, whereby sums may be transmitted to distant Post Office Savings Banks. This does nothing to improve the security, and I hold that the Post Office is bound to give to investors that security which no private enterprize can offer. The issue of invitations to invest by the Post Office is well intended; but the fact is that villagers seldom read such documents, and still less seldom are influenced by them. It is impossible for me now to open the whole question of Post Office Savings Banks. Many improvements are urgently required; but at present I shall content myself with urging the one point respecting the opening of Post Office Savings Banks wherever Post Offices exist. I am well convinced of the possibility and expediency of this measure, and if I do not now succeed in convincing the Postmaster General, I do not despair of doing so at some future time; at any rate, my efforts will not cease until I have obtained my object, and with a view of bringing on a discussion on the subject, I now move, Sir, that the Vote before the Committee be reduced by a sum of £10,000.

Notice taken, that 40 Members were not present; Committee counted, and 40 Members being found present,

Sir HENRY SELWIN-IBBETSON said, as his hon. Friend (Mr. Harcourt) was anxious to have a discussion, and, looking at the hour of the night, he would move to report Progress. ["Go on, go on!"]

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Henry Selwin-Ibbetson.*)

Mr. BRUEN hoped the Committee would take notice of the fact that the hon. Member who moved the count had himself gone out.

Mr. CALLAN wished, as a matter of fact—— ["Order, order!"] He was rather anxious to call attention to a remark which had just been made. Surely, it was most unjust to object to the fact that the hon. Member for Cavan (Mr. Biggar), after moving a count, should leave the House. Of course, to leave the House would be one of the modes of obtaining the object he had in view, and it was most unjust to try and make a marked man of him in that way.

Mr. MELDON suggested that the Vote should be withdrawn, and that they should go on with the rest.

Mr. GRAY said, there was no desire on the part of the Irish Members to discuss the other Votes; and, therefore, if this one was postponed, the Committee would get through the others in a few minutes and save time.

Mr. MONK thought they ought to support Her Majesty's Government in the Motion just made. It was rather too late to go on voting money.

Mr. WHITWELL also hoped they would report Progress. The hon. Gentleman opposite the Member for Oxfordshire (Mr. Harcourt) had brought up a very important and interesting subject, and the Vote was nearly £130,000. There was no one on that side of the House to support it.

Question put.

The Committee *divided:*—Ayes 6; Noes 40: Majority 34.—(Div. List, No. 195.)

Original Question again proposed.

Major O'GORMAN, addressing the Chair from his seat, and covered, said, the hon. Baronet who moved that Progress should be reported voted with the Noes, and therefore voted against his own Motion. It was quite true; he would ask the Chairman for his decision upon it, if he pleased.

The CHAIRMAN (Mr. Salt): I do not understand the hon. Baronet to challenge the decision.

Major O'GORMAN: The hon. Baronet moved that you report Progress, and then voted against the Motion himself.

The CHANCELLOR of the EXCHEQUER: Not when the Question was put.

Sir HENRY SELWIN-IBBETSON: When the Question was put from the Chair, before the Division, I did not challenge it.

Mr. CALLAN: It is the rule that when a hon. Member moves any Motion that he shall vote for that Motion, and especial notice has been taken of Members of this House which Members have voted against a Motion which they have themselves proposed.

Mr. MELDON: I understand, Sir, you have given your decision on the point of Order.

Mr. BIGGAR: I do not know what the Government mean to do. They do not know their mind on any subject. The right hon. Gentleman the Chancellor of the Exchequer seemed just now about to rise, and then he changed his mind and did not do it. I do not know whether the Government intend that we should report Progress after moving it themselves.

Major O'GORMAN: I beg, most respectfully, Sir, to suggest that you do your duty.

Mr. MELDON: I think the hon. and gallant Member is out of Order in moving that you do leave the Chair with no Question before the House. The proper course is to put the next Vote, when it will be open to the hon. and gallant Member, if he should think fit, to move it.

The CHAIRMAN (Mr. Salt): There is a Question before the House which is a Motion for a Vote, upon which some discussion has already taken place, and during which discussion a Motion was made to report Progress. I did not understand the hon. and gallant Member to move that I do leave the Chair.

Major O'GORMAN: Will you have the goodness to understand it now, Sir? ["Order, order!"]

Mr. CALLAN begged to second the Motion on these grounds. The Government, through the hon. Gentleman the Secretary to the Treasury, had moved that Progress be reported, and then, in consequence of some inexplicable reason—unprecedented during his (Mr. Callan's) previous experience—they did not ask leave to withdraw the Motion, but they absolutely voted against it.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Major O'Gorman.*)

The CHANCELLOR of the EXCHEQUER: There can be no doubt that the hon. and gallant Member is perfectly in his right in his Motion. With reference to what has just passed, I will point out what the real facts are. There seemed to be, or, at any rate, the Government were under the impression, that there was a desire on the part of the Committee to go on. We were not at all desirous to keep the Committee sitting against the wish of the majority of hon. Members, and, accordingly, my hon. Friend the Secretary to the Treasury moved that the Chairman do report Progress. When that Question had been once put there was no power to withdraw it, and it had necessarily to be decided. But there happened, what so often happens. It appeared from the general conversation, and especially from observations made by the hon. and learned Member opposite (Mr. Meldon), and the hon. Member near him (Mr. Gray), and some others, that it was the desire of the large number of Members to make some Progress. Of course, we are quite ready to sit, and we thought it was the wish of others to do so; but the course proposed is that we should postpone the Vote, and then, if the Committee are willing to take the next two Votes, we should be glad to do so. Perhaps, the hon. and gallant Gentleman will withdraw his Motion.

Mr. CALLAN said, that at 20 minutes to 4 he thought they ought not to raise an important discussion, and, therefore, he did object to take these Votes. Personally, he should be very glad to facilitate Business; but on the next Vote he wanted to raise a discussion he could not raise at that hour.

Mr. MONK said, he was not at all aware why he had been called upon as one of the Tellers for the Ayes. His hon. Friend the Secretary to the Treasury had been guilty of a great irregularity; and they had had, in consequence, a very disagreeable scene in the Committee. The hon. Member for Oxfordshire (Mr. Harcourt) was in possession of the Committee, when the Secretary to the Treasury rose, and interrupted him by moving to report Progress; he was entirely out of Order in so doing. The hon. Member for Oxfordshire, when it was decided that there was a full Committee, was in possession of the Committee; and, therefore, it was irregular for the hon. Baronet to move that Progress be reported. But having made that Motion, and given his voice in favour of adjournment, it was certainly a great irregularity on his part to vote against his own Motion. The Leader of the House had certainly not in any way mended the matter by the explanation he had just given. He (Mr. Monk) and his hon. Friend the Member for Kendal voted against going on with the Committee, because they did not think Votes of this amount and of this nature ought to be brought on at half-past 3 in the morning.

Mr. GRAY said, there was a very decided and unanimous expression of opinion that two Votes, which would involve no discussion, might be taken, and it was entirely due to the suggestions made by himself and his hon. Friends that confusion had arisen. Especially, he was concerned to be a party to making the suggestion, and he was very sorry it had involved the confusion which had arisen.

Major O'GORMAN begged to withdraw his Motion.

Motion, by leave, *withdrawn.*

Original Question, by leave, *withdrawn.*

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee also report Progress; to sit again upon *Monday* next.

PUBLIC WORKS LOANS (NO. 2) BILL.

Resolutions [July 24] *reported*, and *agreed to:*—Bill *ordered* to be brought in by Mr. Chancellor of the Exchequer and Sir Henry Selwin-Ibbetson.

Bill *presented*, and read the first time. [Bill 260.]

BURGHS (SCOTLAND).

Address for "Return showing the rental of each of the Royal Burghs of Scotland according to the Lands Valuation Act for the year from Whitsunday 1878 to Whitsunday 1879 within the boundaries of the royalty of each Burgh as such boundaries existed before the passing of the Act 3 and 4 Will. 4, c. 77, and in which the Magistrates and Town Councils had the power of levying stent or Land Tax."—(*Mr. M'Laren.*)

SHIPPING CASUALTIES INVESTIGATIONS RE-HEARING BILL.

On Motion of Viscount Sandon, Bill to provide for the Re-hearing of Investigations into Shipping Casualties, and to amend the Rules as to the mode of holding and procedure at such Investigations, *ordered* to be brought in by Viscount Sandon and Mr. J. G. Talbot.

Bill *presented*, and read the first time. [Bill 262.]

House adjourned at a quarter before
Four o'clock in the morning
till Monday next.

HOUSE OF LORDS,

Monday, 28th July, 1879.

MINUTES.]—Public Bills—*First Reading*—Lord Clerk Register (Scotland) * (164).

Second Reading—Industrial Schools (Powers of School Boards) (153); East Indian Railway (Redemption of Annuities) * (160).

Committee—Bills of Sale (Ireland) * (155).

Committee — Report — Conveyancing and Land Transfer (Scotland) Act (1874) Amendment * (141).

Third Reading — Slave Trade (East African Courts) * (147), and *passed.*

ISLAND OF CYPRUS—SLAVERY.

QUESTION. OBSERVATIONS.

THE EARL OF **SHAFTESBURY**: My Lords, on the 11th of July of last year, I put a Question to the Lord President of the Council in these words—

> "Whether it is the intention of Her Majesty's Government, on assuming the occupation and administration of Cyprus, to maintain or suppress, as has been done in Her Majesty's dominions in India, the system of slavery now existing in the Island?"

And to this Question I received the following Answer:—

> "I have to state that Sir Garnet Wolseley leaves this country to-morrow for Cyprus; and when he arrives there it will be his duty to make full inquiry and investigation into all the institutions of the Island and everything connected with them. When that is done he will make a Report to Her Majesty's Government as to the state of things he has found in Cyprus; and having received such a Report from him, Her Majesty's Government will then be in a position to state the course they intend to take."—[3 *Hansard*, ccxli. 1224.]

I venture to repeat the Question because a whole year has elapsed and no Report from the Governor of Cyprus has as yet been laid on your Lordships' Table. Now, the Question is of importance, not only as touching Slavery in general, but as to the alleged fact that it is existing in Cyprus under British rule. I know perfectly well that no Slave Trade openly exists, and that no such thing as a slave market is to be found in any part of the Turkish Empire. That system has long been abolished. But the sale and purchase of slaves are still carried on extensively by private agents and in private houses; and, indeed, constituted as Turkish society is, Slavery is as necessary and indispensable to the Empire—especially among the wealthier classes—as is the Sultan himself. Now, as Cyprus was for centuries under Turkish rule, the probability is that a similar system prevails, and that it is fed by large importations of slaves from East Africa and the Red Sea—for which latter traffic Turkey is specially responsible, as it is mainly conducted at Jeddah, a port in the Red Sea belonging to the Sultan of Turkey. From all quarters there are imported, as I am informed, some 70,000 slaves every year. None are imported for prædial or agricultural purposes. The women are imported as servants for the harems, and the men for other duties, for which they are previously fitted by the most cruel and disgusting mutilations. There is also a large and equally disgusting traffic in white slaves in the very centre of Turkey itself. Circassian slavery was put down by the Russians; but the Circassians who immigrated into Turkey have maintained their old habits, and sell their sons and daughters to the highest bidders among the sensualists of Turkey. Now, this domestic Slavery may prevail in Cyprus. If Cyprus be still under Turkish law, it is highly probable—certainly possible. I trust, therefore, to learn from Her Majesty's Government whether, as Cyprus has now passed under British rule, they will not, following the precedent of the law enacted in India in 1843, decree the total and immediate abolition of Slavery, whether external or domestic.

THE MARQUESS OF **SALISBURY**: My Lords, the promise referred to by my noble Friend who has just addressed the House was given by my noble Friend behind me (the Duke of Richmond and Gordon) last year during my absence from this country. I really did not know that such a Report had been promised, and it has never been drawn up by Sir Garnet Wolseley. With regard to a general Report on the subject, there would be no objection to its production if any had been sent home; but I have received the most distinct and categorical statements, both from Sir Garnet Wolseley and Colonel Biddulph, that involuntary servitude does not exist in Cyprus. It is stated so positively by persons who must know that I think there can be no doubt that the fact is as they state. If my noble Friend recalls to his mind for a moment the state of the legislation in the Turkish Empire, he will see that, wherever the Turkish law is honestly enforced, Slavery is not likely to exist. It is, unfortunately, a fact that the cases in which it is so enforced are very rare. The White Slave Trade to which my noble Friend has alluded was abolished by a Decree of the Sultan in 1854, and the Black Slave Trade was abolished in 1857. Every person who landed in the Turkish Empire after those dates in a state of slavery became free by the action of the law. My noble Friend has justly stated that Slavery in Turkey has been almost entirely confined to, or connected with, harem life. It is obvious that men treated in the manner which my noble Friend glanced at are not likely to be long-lived; and as there has been no legal importation of them since 1857, it is probable that there are not many of those slaves now in existence. As to the women, they are of little value when they become old; and as it has been the custom in many parts of Turkey, and I presume in Cyprus, to manumit slaves when they get old, and as all who were imported after 1857 became free, I do not think that, at the present time, there is any person suffering servitude in Cyprus. With respect to the rest of the Turkish Empire, I agree with my noble Friend that there is reason to fear that the state of things—especially at Jeddah—is deplorable. We have made the most earnest remonstrances to the Turkish Government to employ Governors who shall honestly carry out the Turkish laws, and put a stop to the horrible traffic which goes on across the Red Sea. We have very nearly concluded a Convention which will give us a right of search at the Red Sea, and which, but for the present Ministerial crisis in Constantinople, would, I think, have been already signed. We shall spare no efforts to carry out the Convention, and put a stop to that which, I believe, is now the sole supply channel of Slavery in the Turkish Empire—or, at all events, the main one. With respect more particularly to Cyprus, I can only repeat the assurance that Slavery does not exist there. When I saw the Notice of my noble Friend on the Paper I thought he might have some facts which might show that the contrary is the case; and I am very glad to find that he has nothing of the kind. The oppressed in all parts of the world find their way to the noble Earl; and if there were the slightest indication given to us which should induce us to believe that any person is kept in servitude in Cyprus against his will, we should act without hesitation, and without delay. My noble Friend may be quite satisfied, however, that nothing of the kind exists.

THE EARL OF SHAFTESBURY: Does the noble Marquess really say that there is no importation of slaves into Turkey at the present time?

THE MARQUESS OF SALISBURY: No, there is an illegal importation to an enormous extent into Turkey; but it was absolutely prohibited by the Firman of 1857. This is only one of many instances which show that, if the Turkish law were properly carried out, matters would go on very fairly in that country; but the neglect of the Administration to carry out their own laws gives rise to the present evils.

THE EARL OF SHAFTESBURY: Should her Majesty's Government discover, upon further inquiry, that there is anything of the sort in Cyprus, will they proceed to introduce the Indian legislation, in order promptly to put it down?

THE MARQUESS OF SALISBURY: Certainly.

INDUSTRIAL SCHOOLS (POWERS OF SCHOOL BOARD) BILL—(No. 153.)

(*The Lord Steward.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2ª."—(*The Lord Steward.*)

EARL FORTESCUE hoped that the Home Secretary would refuse, under the powers conferred upon him by this Bill, to diffuse expenditure of a temporary character over a long period of years. In the case of the reformatory ship which had been extravagantly fitted up by the London School Board, the cost of the carpets and furniture, and he had heard of a piano also, had been borrowed, and spread over a long series of years. Such an example, if sanctioned, would be a direct encouragement to extravagance. He hoped that nothing would be placed against the capital that was likely to be worn out in the course of those years.

EARL BEAUCHAMP admitted that there was a considerable expenditure on this head beyond what there ought to be; but he trusted that the conspicuous example of extravagance mentioned by the noble Lord would be the means of preventing similar cases in future. The object of the Bill was simply to enable school boards to start or contribute to the support of industrial schools.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

INDIA CORPORAL PUNISHMENT IN INDIAN GAOLS.—OBSERVATIONS.

LORD STANLEY OF ALDERLEY said, that he regretted having to take up the time of the House with another case of illegality; but he had waited on the Secretary of State at the India Office in reference to this matter, and his noble Friend had said that he was unable to do anything. The Brahmin Gaya Pershad was imprisoned on the 3rd of November, 1874, for seven years for forgery at Jubbalpore; here he was set to work at the hand-mill, but this work was found to be too hard for him. At the end of three months, Mr. Morris, the Chief Commissioner, came to the gaol and sent him from there to Nagpore, though Dr. Rogers said he was unfit to travel. In Nagpore Gaol he was flogged 10 or 13 times on the pretext of his having tampered with the warders, and obtained tobacco and sugar. In England, to have flogged a burglar on these grounds would have been illegal. The case might be left here; but as it was in human nature to feel more sympathy for a deserving person than for an undeserving one, he would say a few words about Gaya Pershad's case. He was a man who had received certificates from Sir Richard Temple for his services to the British Government during the Mutiny; the late General Sleeman had been a constant visitor of his father's, Behary Lal. Gaya Pershad had lent money to a Raja Bulwunt Singh, whose affairs came into the Court of Wards, and Captain, or Major, McLean had charge of that case. Gaya Pershad sued for his debt of about 100,000 rupees, including interest, and obtained a decree in his favour; the other side appealed, and he again obtained a decree in his favour. There had been a dispute between Gaya Pershad and Mr. Morris, a younger brother of the Chief Commissioner, who was a tenant of Gaya Pershad's, on matters connected with the tenancy. Mr. McLean asked Gaya Pershad to reduce his claims on the Raja's estate by 10,000 rupees; he declined. He then asked him to reduce it by 6,000 rupees; he again declined taking less than his decree. Mr. McLean then said he would see if he could not make him do so. His papers and vouchers were then examined, and a receipt for about 200 rupees, written by one Lall Charran Dass, an agent of the Raja, and bearing the Raja's seal, was said to be a forgery. Whilst the papers were in the hands of Mr. McLean another stamp was put upon the Raja's seal so as to obliterate it, and he was convicted by what appears to have been fabricated evidence. *Primâ facie*, it was improbable that a man in Gaya Pershad's position, and with a claim of about 100,000 rupees, would have forged a receipt for about 200 rupees. The friend of Gaya Pershad, who endeavoured to obtain relief for him from his ill-treatment in prison, failed to get a hearing, and was driven away with ignominy from the houses of the officials he attempted to see. About January, 1877, a Petition was sent to the Viceroy, in the names of the wife and son of Gaya Pershad, praying for a commutation of his sentence; but the only reply given was that the Chief Commissioner, Mr. Morris, had reported unfavourably upon it. Her Majesty's Ministers speak so little in this House, that we are driven to what are called their extra-Parliamentary utterances in order to ascertain their minds. On the 16th of July last the Secretary of State for India said that West Kent had never been polluted by the representation of a Liberal. He (Lord Stanley of Alderley) had not sufficient experience of electioneering speeches to know if that was according to the usual amenity of language; but he feared that other people, in other places, would apply those words of the noble Viscount to those who sat in the seat of justice. On the 25th of July, at Cooper's Hill, the noble Viscount said that England had given to India "Justice and honesty in high places, and pure Courts established for carrying on litigation." He hoped the Secretary of State would make these words good, and inquire into this case.

VISCOUNT CRANBROOK said, that he knew nothing of this case, except what had been communicated to him a few days ago by the noble Lord. According to the statement of the noble Lord, this man had been convicted of forgery in 1874, had since been undergoing his sentence, and had been flogged a certain number of times by the warder. He (Viscount Cranbrook) did not know whether this statement was true or not. He was without information on the subject; and in the most recent Reports with regard to Indian gaols, which came down to 1877, no names of the prisoners were given, Whether this person was still undergoing sentence he (Viscount Cranbrook) had no means of knowing. He could only say that if this man was suffering any wrong the remedy should be sought in India; and he had no doubt that if the friends of this man applied to the Viceroy he would order inquiry to be made.

House adjourned at a quarter before
Six o'clock, till To-morrow,
Two o'clock.

HOUSE OF COMMONS,

Monday, 28*th July*, 1879.

MINUTES.]—Supply—*considered in Committee*—Civil Service Estimates, Class IV.—Education, Science, and Art; Class I.—Public Works and Buildings; Class II.—Salaries and Expenses of Public Departments; Class III.—Law and Justice.

Resolutions [July 25] *reported.*

Public Bills—*Resolution in Committee*—Local Courts of Bankruptcy (Ireland) [Salaries, &c.]; National School Teachers (Ireland) [Repayment of Advances].

Ordered—First Reading—Boundary Commission (England and Wales)* [263].

Second Reading—Municipal Elections (Ireland)* [256]; Shipping Casualties Investigations Re-hearing [262]; Mungret Agricultural School, &c.* [213]; Registry Courts (Ireland) (Practice)* [259].

Committee—Report—East India Loan (Consolidated Fund) [201]; Commissioners of Woods (Thames Piers)* [249].

Third Reading—Knightsbridge and other Crown Lands* [258], and *passed.*

Withdrawn—Contagious Diseases Acts Repeal* [34]; Sale of Intoxicating Liquors on Sunday* [20]; Noxious Gases* [123].

QUESTIONS.

RUSSIA — TREATMENT OF RUSSIAN CONVICTS—DEPORTATION TO SAGHALIEN.—QUESTIONS.

Mr. J. COWEN asked the Under Secretary of State for Foreign Affairs, If the Government have received any information as to the manner in which Russian subjects, on mere suspicion of political offences, are being driven by thousands into slavery in Siberia; if they have been informed that 700 persons, mostly men and women of education, have been packed in the hold of a small ship bound for Saghalien, without light or sufficient food or air, that 250 of them died on board, and 150 were landed in a dying state; further, whether it is true that large bodies of Cossacks are being forcibly ejected from their houses and homes, and compelled to settle in Colonies from the mouth of the Usuri river to Vladevostock, for the purpose of establishing a chain of military posts against the Chinese; and, whether, since remonstrances were addressed by Her Majesty's Government to the Government of Naples against the treatment of Poerio and his colleagues in 1855, and to Russia, against her treatment of the Poles after the insurrection in 1861, to Turkey in 1876 against the action of Chefket Pasha and others in Bulgaria, these cases do not furnish precedents for remonstrating with Russia against such treatment of alleged political offenders?

Mr. BOURKE: In regard to the first Question of the hon. Member, I have to state that various accounts have reached the Foreign Office as to numerous arrests for political offences which have taken place within the last two months in various parts of Russia. Deportation has followed upon these arrests. I am not in a position officially to say what is the destination of the persons so arrested. With regard to the second Question, respecting the particular ship mentioned by the hon. Member, I have to state that accounts have reached the Foreign Office that this vessel was specially fitted for carrying prisoners from the Black Sea to Saghalien, and we are informed that the arrangements for carrying the prisoners were as humane as possible consistently with a proper guard being kept upon the prisoners on board the vessel. It has also been alleged that there were no political prisoners on board of her, but that her cargo consisted of between 600 and 700 convicted prisoners. The vessel passed through the Canal into the Red Sea some weeks ago. As to the next Question, relating to the Cossacks, I am not in a position either to affirm or to deny the facts. Then the hon. Member asks whether the cases he mentions do not furnish a precedent for a remonstrance on the part of Her Majesty's Government? All I can say in answer to that is that it is not the practice of Her Majesty's Government to interfere in cases of this kind unless they have good reason to suppose that the remonstrances which they make will be attended with beneficial or practical results.

MR. MUNDELLA: Will the hon. Gentleman kindly say whether it is true that, on the arrival of the ship, 250 of these people were found to be dead and 150 were in a dying state?

MR. BOURKE: We have not received any information of that kind; and if the hon. Member will look at the Question, he will see it was impossible for us to receive any information of that sort consistent with the facts, for the vessel only passed through the Red Sea three or four weeks ago, and, therefore, we have not heard of her landing any prisoners, or, indeed, of her touching at any place after she left Suez. We have heard of her in the Red Sea, where she was at anchor; but we have not heard that she touched at any place.

NAVY—MARINE OFFICERS.

QUESTION.

MR. ANDERSON asked the First Lord of the Admiralty, Whether he has had a medical survey on the five Marine officers who were unable to go with the battalion to South Africa, and if the result has been to retire only three of them, and to retain two on the active list; whether, as regards foreign service such as the South African, these two are suffering only from temporary disability, or whether they are for the future fit only for home service; and, if it be the fact that one of these two has been allowed to gain a lieutenant colonelcy through the compulsory retirement of another of the five surveyed?

MR. W. H. SMITH: It is true that a medical survey was held on five officers reported unfit. The Medical Board reported three as unfit for general service, and two as fit. As regards one of the two officers, there can be no doubt his disability was not of a character to render him unfit for general service, but was of a temporary character only; and as regards the second officer the discrepancy between the report of the medical officer who declared him to be unfit and the Medical Board who declared him to be fit will be matter for further investigation and consideration. Pending the decision of the Board of Admiralty, the promotion of the second officer to the lieutenant colonelcy will not be made.

NOXIOUS GASES BILL.—QUESTION.

MR. LOWTHIAN BELL asked the President of the Local Government Board, Whether, looking at the period of the year, it is really the intention of Her Majesty's Government to proceed with the Noxious Gases Bill?

MR. SCLATER-BOOTH, in reply, said, that owing to the opposition with which the Bill was threatened, and the advanced period of the Session, it was his intention to withdraw it.

DRAINAGE (IRELAND)—THE MULCAIRE DRAINAGE SCHEME.

QUESTION.

MR. O'SHAUGHNESSY asked the Secretary to the Treasury, Whether the Lords of the Treasury have considered the Memorial presented by Tenants in the county of Limerick of Lands affected by the failure of the Mulcaire Drainage Scheme; and, whether their Lordships are prepared to afford the Memorialists any relief?

SIR HENRY SELWIN-IBBETSON: The Memorial was only received at the Treasury on the 24th instant. It has been referred to the Board of Works in Ireland, and until their Report has been received it is impossible for the Lords of the Treasury to form any opinion upon the matter submitted to them in the Memorial.

BUILDING SOCIETIES ACTS—BORROWING POWERS.—QUESTION.

MR. ISAAC asked Mr. Attorney General, Whether the statement is correct that Building Societies established under the 6th and 7th Will. 4, c. 32, and not since incorporated under "The Building Societies Act, 1874," have the powers of borrowing money set forth in the Act of 1874?

THE ATTORNEY GENERAL (Sir JOHN HOLKER): The 15th section of the Building Societies Act, 1874, does not confer such borrowing powers on those Societies, unless they have been incorporated under the Act of 1874. In an answer I recently gave to a similar

Question, I ought to have pointed out more distinctly than I did that the Building Societies to which the 15th section of the Act of 1874 applies are Societies which have obtained certificates of incorporation under that Act, as provided by Section 2 of the Building Societies Act Amendment Act, 1875.

EXHIBITION COMMISSIONERS OF 1851 AND THE THE ROYAL HORTICULTURAL SOCIETY.—QUESTION.

Sir TREVOR LAWRENCE asked Mr. Chancellor of the Exchequer, Whether he is aware that the whole of the £50,000 advanced by the debenture holders to the Royal Horticultural Society, in addition to £25,000 from the Society's own funds, was spent upon buildings and other permanent works on the property rented by the Society from the Royal Commissioners of the 1851 Exhibition; and, whether this money was spent under the direct supervision of an "Expenses Committee," upon which the Royal Commissioners retained the power to appoint, and did actually appoint, a majority of the members, thereby keeping complete control over the expenditure of the money advanced by the debenture holders?

The CHANCELLOR of the EXCHEQUER: The money which was advanced by the debenture holders to the Royal Horticultural Society was, I understand, expended in the erection of conservatories, laying out terraces, and other works suitable for public gardens, which were of no advantage to the Commissioners in disposing of the estate. The expenditure, I am informed, was not made directly or indirectly under the supervision of the "Expenses Committee." I may point out that an action is now pending which will give occasion for the discussion of any claims which the Royal Horticultural Society may consider themselves in a position to make, and that, as I think, it would be more convenient that questions of this sort should not be discussed in this House whilst that action is pending.

INDIA—THE NORTH-WEST FRONTIER—THE ASSIGNED DISTRICTS.

QUESTIONS.

Sir ALEXANDER GORDON asked the Under Secretary of State for India, Whether the Government of India has explained to Her Majesty's Government the reason why they omitted to send home, with their despatch of the 2nd June last, a copy of the Schedule annexed to the Treaty of Peace concluded between the British Government and the Ameer of Affghanistan, which defines the limits of the districts assigned to the British Government; and if he will communicate such reason to the House; and, if he can state whether the omission will be rectified, so that the document in question may be laid upon the Table of House before Parliament rises for the vacation?

Mr. E. STANHOPE: I believe the reason why the Schedule has not been sent home is because the limits of those assigned districts had to be demarcated by a mixed Commission; but as soon as we receive it we will lay it on the Table of the House.

Sir ALEXANDER GORDON: The Under Secretary of State has not answered the Question, whether the Indian Government had stated the reason they gave for not sending the Schedule when they sent the Despatch?

Mr. E. STANHOPE: I have already stated the reason. I know of no other.

THE MAHARAJAH DHULEEP SINGH.

QUESTIONS.

Mr. FAWCETT asked the Under Secretary of State for India, Whether any Papers can be laid upon the Table in reference to the application that has been recently made to the Secretary of State for India in Council by Maharajah Dhuleep Singh for an increase in the allowance annually made to him out of the revenues of India, so that the House may have an opportunity of expressing its opinion on the subject before any decision is arrived at to grant the increased allowance asked for?

Mr. E. STANHOPE: I have consulted my noble Friend (Viscount Cranbrook), and I have to say that it is not the intention of the Government to lay on the Table any Papers on this subject at present. As I informed the hon. Member the other day, certain points have been referred for the opinion of the Government of India. When an answer has been received from India the whole matter will be very carefully considered by the Secretary of State in Council.

MR. FAWCETT: May I ask, Whether, in the event of the reply of the Government of India not being received before the Session closes, Her Majesty's Government will undertake that no decision will be arrived at to give the increased allowance in question until next Session?

MR. E. STANHOPE: No, I cannot give such an undertaking; and as to the Correspondence, it is very unusual to give any part of a Correspondence while it is still going on.

MR. FAWCETT gave Notice that this Session he would take the earliest opportunity he could secure, on going into Committee of Supply, of calling attention to the matter, and moving a Resolution to the effect—

> "That, in the present condition of Indian finance, which rendered it expedient that efforts should be made to reduce the expenditure, the House was of opinion that the increased allowance asked for should not be granted."

MR. ONSLOW, in consequence of the answer of the Under Secretary of State, gave Notice that he should take the earliest opportunity of asking him, If no Papers regarding an increased allowance to Maharajah Dhuleep Singh can be laid upon the Table of the House during the present Session, he can state the reasons why the noble Lord the Secretary of State for India is prepared to reopen the question, considering the present allowance to his Highness was fixed after the fullest consideration by the Government of India and the Home Government?

LAW AND JUSTICE—CIVIL ASSIZES AT MANCHESTER AND LIVERPOOL.

QUESTION.

MR. RATHBONE asked the Secretary of State for the Home Department, Whether he is aware that, under the arrangements made by the judges for holding Civil Assizes at Manchester and Liverpool, only nine days were allowed at Manchester for a cause list of ninety-five cases, including thirty-eight special jury cases; that in consequence of the impossibility of concluding the business within that time, the judges suggested that cases unlikely to be reached at Manchester should be put down for Liverpool; and that this has been done to such an extent as to threaten to occupy much of the time available for Liverpool; whether he is aware that it has been proposed to have no October Civil Assizes for Lancashire, practically reducing, as regards Liverpool, the three Assizes, which the Judicature Commission considered inadequate for the work to be done, to little more than one; and, whether he will consider what steps can be taken to remedy this state of things, and to make impossible in future such disregard of the interests of suitors?

MR. ASSHETON CROSS: Taking the last Question first, I am quite sure the hon. Member for Liverpool does not intend to charge the learned Judges who went this Circuit with having neglected the public interests, but that his Question applies to the general arrangement of the Circuit.

MR. RATHBONE: I did not wish to allude to the Judges who went the Circuit, but to the Judges who fixed the Northern Circuit.

MR. ASSHETON CROSS: I was quite certain the hon. Member would not have a word to say as to the Judges who went the Circuit. In regard to the second Question, I am informed that ample time was believed to have been given for the trial of the ordinary cases in Lancashire, and I have been furnished with a statement of the arrangements. Of course, the hon. Member knows that I have nothing to do with these arrangements; but the arrangements were so made that Lancashire should have its full share of the services of the learned Judges who went the Circuit. With regard to the first Question, I think the hon. Member is labouring under a misapprehension, and I will state generally what the arrangement was. Eleven days were allotted to Manchester, commencing from the 14th, which was the commission day, and ending on the 26th. A larger entry of cases was, however, made than ever occurred before, so that it was found that the list could not be tried out within the period fixed. The learned Judges, however, offered to take over to Liverpool all the cases that remained untried; but that they might not take precedence of the Liverpool cases, they required the parties to enter them in the Liverpool district, taking their chance as to when they would come on. There were 114 cases entered for trial at Liverpool, only seven of which came from the Manchester district. The learned Judge who gives me this information goes on to say that he does not know what is meant by the time available for Liverpool. Liverpool being the last place, trials go on until the list is exhausted; and he does not know of any remanets ever having been left there.

MR. RATHBONE: Did not those 11 days include Sunday?

MR. ASSHETON CROSS: No; 11 working days were allotted to Manchester —from Monday, the 14th, which was commission day, until Saturday, the 26th, inclusive.

CYPRUS — ADMINISTRATION OF THE ISLAND—CIVIL POLICE FORCE.

QUESTIONS.

MR. SHAW LEFEVRE asked the Under Secretary of State for Foreign Affairs, Whether, as the Government has abandoned its proposal of a Vote for the maintenance of a Military pioneer regiment in Cyprus, and has proposed a Vote for a body of civil police in the same Island which is estimated to cost £26,000 a-year, he will lay upon the Table of the House, before the Vote is taken, any Report showing the necessity for such a large expenditure for police in the island, and also any Report and Financial Statement showing the inability of Cyprus to bear the burden of its civil expenditure?

MR. BOURKE: No Reports of the nature alluded to by the hon. Gentleman are in the possession of Her Majesty's Government. It will be my duty, in a few days, to move the Vote alluded to by the hon. Gentleman, and I shall take that opportunity of making a short statement to the House upon the subject. If, after hearing that statement, we are not fortunate enough to obtain the support of the hon. Gentleman, I feel, nevertheless, quite sure that the arrangement proposed is an economical one, and that it will be assented to by the House of Commons.

MR. DODSON asked, If the Under Secretary of State could now state when the Government would be prepared to lay on the Table an account of the Revenue and Expenditure of Cyprus?

MR. BOURKE said, he did not think he would be quite justified in answering that Question without Notice. He was aware that the subject had been mentioned before, and, therefore, the subject was not being lost sight of. Some of the accounts, however, had not yet come home, and therefore he had to ask the right hon. Gentleman to repeat the Question on some future day.

CRIME (IRELAND)—CONSTABULARY EXPENSES.—QUESTIONS.

MR. FRENCH asked the Chief Secretary for Ireland, Whether he has seen a paragraph, which appeared in the Dublin "Evening Telegraph" of the 21st July, in which Mr. Stephen Seed, Crown Solictor for the County Kildare, addressing the Grand Jury at Naas, is reported to have spoken as follows:—

> "There was, he was sorry to say, a good deal of undetected crime in the county. The county inspector had made a return of twenty indictable offences committed since last assizes, but of that number one-half was undetected. This was a bad state of facts, and amongt the causes which contributed to it was a rule of the constabulary force prohibiting, under pain of instant dismissal, any constable being refunded the expenses he was out of pocket in bringing offenders to trial;"

and, whether, if such a rule exists, he will, seeing it is one which is likely to discourage constables in the detection of crime, take steps, in the interest of justice, to have it abolished?

MR. J. LOWTHER: Sir, I am afraid it must be admitted that there is a certain amount of undetected crime in the County Kildare, as well as in other parts of Ireland. I find that in that county there were several cases of sending threatening letters, and charges of that description, which have been undetected; but I think that is not due to the cause indicated by the Crown Solicitor. It appears that formerly a practice prevailed under which the Crown Solicitor disbursed sums of money practically on his own authority in the form of fees to constables engaged in tracing certain cases. That was a practice which did not work well; and a new rule was made to the effect that no constable or other police officer was to receive any money except through the local official chief of the force. That has been a great improvement on the course which formerly prevailed, though it may not have appeared in that light to the Crown Solicitor, who previously had the patronage in his own hands.

MR. CALLAN: Sir, I beg to ask the right hon. Gentleman, If he will inform the House under what peculiar circumstances it was that the Crown Solicitor was obliged to take this most unusual course of addressing the Grand Jury at the Assizes, and whether the Mr. Stephen Seed, who adopted this course, was the same gentleman who, with reference to the packing of jury panels in the County Meath, told the sub-sheriff "to leave that in his hands, and he would do it effectually?"

MR. J. LOWTHER: Sir, I have not heard of the matter just alluded to; but I understand that, from time to time, this gentleman has made use of some strong statements. I do not know anything of the circumstances referred to.

DOMINION OF CANADA—SUPERSESSION OF M. LETELLIER DE ST. JUST.—QUESTION.

MR. E. JENKINS asked the Secretary of State for the Colonies, Whether it is true that the Governor General of Canada has superseded M. Letellier de St. Just as Lieutenant Governor of Quebec; whether this was by advice of Her Majesty's Government; and, when he will lay the Papers upon the Table?

SIR MICHAEL HICKS-BEACH: I think the statement is probably true, although I have received no official confirmation of it. Papers will be laid on the Table as soon as I have received them from the Governor General of Canada, which I expect will be in a few days, and then the hon. Member will be able to see exactly what has been done.

ARMY — ORDNANCE DEPARTMENT — CLAIM OF MR. LYNALL THOMAS.

QUESTION.

SIR HENRY HAVELOCK asked the Secretary of State for War, Whether, since statements have been made on behalf of the Government that the system of heavy ordnance now in use in the service was originated in the Government factories, he can explain how it occurred that the jury gave a verdict in the case of Thomas against The Queen in favour of Mr. Lynall Thomas, for a sum of £6,500, for the expenses incurred by him in the production of the first heavy rifled guns?

LORD EUSTACE CECIL, in reply, said, he had made inquiry at the War Office, but was unable to obtain any explanation of the extraordinary verdict which the jury had come to in the case referred to. He had no doubt that his hon. and learned Friends the Attorney General and Solicitor General might be able to throw some light upon the matter, as they represented the Crown on the occasion of the trial. He had, however, been informed of a fact of which, perhaps, his hon. and gallant Friend was ignorant—that the Judges of the Queen's Bench Division of the High Court had come to the unanimous conclusion that the verdict should be set aside. One of the allegations was that the weight of the evidence was entirely against it. They would appear to have been as greatly surprised at the verdict as his hon. and gallant Friend was.

SIR HENRY HAVELOCK said, that in consequence of the answer which he had received, and which did not entirely agree with the facts, he should ask a further Question on the subject hereafter.

NAVY—FLOGGING IN THE NAVY.

QUESTION.

MR. ANDERSON asked the First Lord of the Admiralty, If it be the fact that a meeting of petty officers and seamen was held at Portsmouth to protest against the way in which the opinions of the men of the Navy, on the subject of flogging, had been misrepresented by certain Naval officers in Parliament; if Admiral Fanshawe issued a memorandum to captains of ships pointing out that such meetings were subversive of discipline; and, if Admiral Fanshawe has issued any memorandum to officers cautioning them against making public misrepresentations directly provoking to such breaches of discipline?

MR. W. H. SMITH: There is no doubt, Sir, that a meeting was held at Portsmouth, at which petty officers and seamen were present, and the punishment of flogging was discussed; and it is the fact that Admiral Fanshawe, as Commander-in-Chief at Portsmouh, issued a memorandum cautioning the men from attending such meetings. He did so on his own responsibility, but with the entire subsequent approval of the Admiralty, as it is clearly the duty of officers in his position to warn men against being led into acts which are subversive of discipline and are breaches of the Queen's Regulations. The statements which the hon. Member alleges on his own authority to be misrepresentations, having been made in Parliament, do not come under the cognizance of the Commander-in-Chief at Portsmouth, and I apprehend it would be a breach of the Privileges of this House if he were to take notice of them.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTIONS.

MR. DILLWYN asked the Chancellor of the Exchequer, What was likely to be the first Order on Wednesday?

THE CHANCELLOR OF THE EXCHEQUER: Probably, Supply—the Educational Votes—but it is rather difficult to say at this stage. The East India Loan (£5,000,000) Bill will be taken at a convenient time.

MR. CHILDERS understood that the Chancellor of the Exchequer proposed on Thursday to make a statement as to the financial arrangements in connection with the Vote for the Zulu War, and asked, Whether the right hon. Gentleman would lay on the Table a day or two before Thursday the Estimate for that war, so that Members might have an opportunity of considering it before the Vote came to be discussed?

THE CHANCELLOR OF THE EXCHEQUER: I am not quite sure that it would be the most convenient course to lay the Estimate on the Table before Thursday. There will, of course, be plenty of opportunities for discussing it after I move the Vote. I propose, to-morrow, to take, as the first Order of the Day, the adjourned debate on the second reading of the Banking and Joint Stock Companies Bill, and later in the evening to take a Vote in Supply to pay off the Exchequer Bonds, which will be maturing during the autumn. On Thursday, I propose, in Committee of Ways and Means, to move Resolutions authorizing the Treasury to borrow the £2,000,000 in Consols which is to be advanced to India, and to borrow also the money required for paying off the Bonds. On that evening I will lay on the Table the Estimate for the expenses of the Zulu War, and explain what the position of the question is, and I think that possibly it will be more convenient that serious debate on the subject should be reserved for a later day.

MR. CHILDERS: Then the House will not be asked on Thursday to Vote the expense of the Zulu War, either in form or in substance?

THE CHANCELLOR OF THE EXCHEQUER: No.

PRIVILEGE—(TOWER HIGH LEVEL BRIDGE (METROPOLIS) COMMITTEE).

The *Sergeant at Arms*, on being called upon by Mr. Speaker to inform the House what course he had taken in order to serve Mr. Speaker's Warrant upon Charles Edmund Grissell, reported as follows:—

That, on receiving Mr. Speaker's Warrant to take into my custody Charles Edmund Grissell, I sent a Messenger of the House to Boulogne-sur-Mer to obtain information respecting him. The Messenger has returned and reported to me that he has seen Mr. Grissell, who is still at Boulogne-sur-Mer, beyond the jurisdiction of this House, and residing at the Hotel Bordeaux under the name of Graham.

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES.

[*Progress.*]

SUPPLY—*considered* in Committee.

(In the Committee.)

CLASS IV.—EDUCATION, SCIENCE, AND ART.

Motion made, and Question proposed,

"That a sum, not exceeding £5,034, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Expenses of the Queen's University in Ireland."

MR. SHAW said, he had, at the desire of his hon. Friends around him, a request to make of the Chancellor of the Exchequer. It was that the two Votes which stood first upon the Paper, and had reference to the Queen's University and the Queen's Colleges, should be postponed. If the Government would consider the request he had made they would see its reasonableness. It was well known that the House had before it a Bill dealing with another department of this great question, and that the two subjects—the Bill and the Votes—were so dove-tailed that it would be impossible for them to discuss the one without discussing the other. He suggested the postponement in order to facilitate the Business of the House, because he was afraid that if they entered into a discussion of all the questions which would crop up upon these Votes they would occupy a good deal of time unnecessarily; whereas if they postponed the Votes they would get through a good deal of Business before the night was over. He did not, by saying this, in any way mean to threaten the Government. Nothing of the kind was meant; but the question was of such importance, the bearings of the Votes on the University Bill were so intimate and numerous, that, as a matter of necessity, if they discussed them, they must occupy an immense deal of time; and, moreover, the same ground would have to be traversed when considering the University Bill. He, therefore, hoped the Government would, before any further step was taken with respect to these Votes, decide to postpone them until some progress was made with the University Bill. It was hoped that that Bill would emerge from Committee a better Bill than it was when it went into Committee; and they were not without hopes that the Government would continue that process of equitable legislation which was the system of the present day. Some concessions had already been made with respect to Ireland; and, in the end, they would probably make a very fair Bill out of the one recently introduced. At the present moment, however, he earnestly trusted that the Government would yield to the proposed postponement. They were quite ready to discuss the Votes—they were not afraid to discuss them; but they must necessarily repeat themselves when discussing the Bill. He would not occupy the time of the House further; for he thought he had made out a good case, and had given reasons which ought to have weight with the Government. If the Government did not yield to his request he was prepared to move a substantive Motion, which would occupy some time in deliberating.

THE CHANCELLOR OF THE EXCHEQUER said, there could be no objection on the part of the Government to put off the Queen's Colleges and University Votes in order to go on with the other Votes, if that was a course which was most agreeable to hon. Gentlemen. But, on the other hand, it must be clearly understood that they did not accept the suggestion of the hon. Member for Cork that they should put off the Votes until after the discussion on the University Bill. They would not enter into an engagement of that kind; but they were prepared to postpone the Votes for the present, and go on with the discussion of the other Votes, in the hope that such a course was most likely to save time.

MR. O'CONNOR POWER was very reluctant to interpose, because he had not had the advantage of knowing that it was the intention of the hon. Member for Cork to make his request to the Chancellor of the Exchequer. It now appeared, however, that he had made his request to postpone the Votes on a distinct ground. The Chancellor of the Exchequer replied that he would postpone the Estimates, though he did not recognize the ground. He would, therefore, ask the hon. Member for Cork what he gained by the postponement? If they put the University Bill out of all consideration, the present was as good a time for discussing the Queen's Colleges and University Estimates as any other; but it was because the Bill of the Government stood in the way, and because the Estimates were to be considered in connection with that Bill, that his hon. Friend asked for the postponement. The manner in which the Chancellor of the Exchequer had met the request was uncandid; and he appealed to the Government to say whether they saw anything really objectionable in the ground on which the hon. Member made his request?

SIR GEORGE CAMPBELL submitted that whatever was taken first—the University Bill or the Votes—it was most desirable, for the information of English and Scotch Members, that the Government should state whether they proposed to maintain the full Vote now given to the Queen's Colleges, in addition to the Vote proposed to be given to the Queen's University. If that were so, his and other hon. Gentlemen's views of the matter would be very considerably changed. He believed it would also make some difference in the view the Irish Members would take.

MR. SHAW did not think it would be convenient that they should enter into a general discussion on the question. Of course, he would have preferred very much that the Chancellor of the Exchequer had acceded to his entire request; but he could not say that, under the peculiar circumstances of the case, the right hon. Gentleman had acted unfairly. They would take their chance in the matter; but they hoped the Government would see the reasonableness of connecting the two questions together, so that they might save time.

Motion, by leave, *withdrawn.*

CLASS I.—PUBLIC WORKS AND BUILDINGS.

(1.) £110,644, to complete the sum for Public Buildings, Ireland.

CLASS II.—SALARIES AND EXPENSES OF PUBLIC DEPARTMENTS.

(2.) £22,340, to complete the sum for the Chief Secretary for Ireland Offices.

(3.) £1,522, to complete the sum for the Charitable Donations and Bequests Office, Ireland.

(4.) Motion made, and Question proposed,

"That a sum, not exceeding £95,826, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Local Government Board in Ireland, including various Grants in Aid of Local Taxation."

MR. A. MOORE said, he had an Amendment on the Paper against this Vote; but he had no wish to detain the Committee more than a few minutes. There were very important questions connected with the Local Government Board in Ireland which, some time ago, he thought it his duty to bring before the House at great length. He understood that during the last year a very eminent official had been promoted to the head of this Department; and at the beginning of his period of office he should be very sorry to cast any reflection upon the manner in which the office was conducted which might prejudice him in his career of usefulness. He only wished to observe that the workhouses in Ireland were built at a time when there was much pauperism throughout the country, and built for the accommodation of young and old, and for a large number of persons who could not obtain any means of livelihood. The latter class of paupers had now disappeared, and the workhouses had become almost exclusively the home of the young and the old; and, therefore, he thought it proper that, in considering the conduct of the Poor Law administration, their attention ought to be directed to the practice of making these houses suitable for the comfort and happiness of those classes. He could not see why, in Ireland, the French system should not be adopted. Some system of the kind had been adopted in England, and it was proposed to be adopted in Scotland—namely, that old married couples, who had attained 60 years of age, should live together in the workhouse as man and wife. There could be no possible objection to permitting this, and it would only be an act of kindness on the part of the Local Government Board. There was another very great grievance to which he wished briefly to direct the attention of the Chief Secretary for Ireland, and that was the question of the hospitals. There was no doubt that the workhouse hospitals in Ireland were managed upon an exceedingly unwise principle. Lately, the Report of a very eminent Commission on Poor Law had been presented; and one of the Poor Law Inspectors, on giving his Report to the Commission, drew attention especially to the question of nurses in hospitals. In many of the Unions in Ireland, simply with a view to economy, proper nurses were not employed to attend the aged poor and the young children. At a small cost of a few additional pounds per annum the attendance of one regular nurse might be had to attend the sick. As was distinctly stated in the official Report presented to the House, at the present time women of the worst grade were made use of to attend to the sick. This was a most scandalous thing; and if it continued next year, and he had the honour of a seat in the House, he would be persistent in endeavouring to bring about a reform.

MR. J. LOWTHER said, that the question as to the treatment of aged paupers had been inquired into before a Commission. He regretted that, owing to causes connected with the course of Public Business, upon which it was unnecessary for him to dwell, the Government had not been able at present to take action upon the various matters dealt with in the Report of the Commission; but this would be done as soon as it was possible; and, therefore, he trusted that the hon. Member would not find it necessary to bring this question forward another year.

MR. A. MOORE, in consideration of the recent appointment to the head of the Local Government Board in Ireland, did not wish to press his Motion to reduce the Vote by £4,000. He thought it only right that when a new official came into power he should have a fair and open field for his labours. The only other question to which he wished to call attention was the habit of overcrowding the occupants in some rooms of the workhouses, while other compartments remained empty. For instance, at Cavan, the conduct of the Guardians deserved the reprehension of every fair man.

MR. SHAW said, that the Local Government Board in Ireland was, no doubt, a most respectable Board; but he had been for some time watching their movements, and he could not understand by what principles they were guided, especially in respect to their interference with Boards of Guardians. Of course, he admitted that, in many cases, interference with Boards of Guardians was necessary, because the tendency of Boards of Guardians was to cut down expenditure wherever the poor were concerned. There ought to be some authority to compel the Guardians to do their duty towards the poor, and to this extent he approved of the intervention of the Local Government Board. But it could not be denied that orders were issued by the authorities in Dublin making all sorts of changes involving taxation, and the Guardians were coerced, whether rightly or wrongly, to carry out those orders. If the proceedings of the Local Government Board were manifestly wrong, it seemed to him that there ought to be some authority to whom the Guardians could appeal. This ought to be particularly the case in questions which involved taxation. Of course, he was told that appeal could be made to the Chief Secretary; but, then, he was a Member of the Local Government Board, and though he did not attend much to its duties he would be prejudiced in favour of its decisions. He had known cases occurring in the West of his county, where the Local Government Board had been corresponding for some time with the Poor Law Guardians concerning the establishment of a new dispensary. The establishment of such an institution was against the opinions of the Board of Guardians and the ratepayers of the district, and the action of the Local Government Board had left the arrangements of the dispensary district in the greatest possible confusion. That was only one of a large number of cases of undue interference. In the case of one town in his county, the Local Government Board carried on a correspondence with the local authorities for months with the view of compelling them to become a Local Board of Health, When, if they had looked into *Thom's Almanack* they would have seen the population of the place was below the required number. In other instances, the Local Government Board had interfered most irrationally. The present state of things was most unsatisfactory, and ought to receive attention at the hands of the Government. It struck him very forcibly that there ought to be some central authority to which the decisions of the Local Government Board could, if requisite, be referred. He did not see why Poor Law Guardians should not be able to appeal to the Judge of Assize. At present, the mouths of the Guardians were closed. Sealed orders came down by which, in one district, the taxation had been increased by something like 5*d.* in the pound. There was not the slightest need for it; yet there was no power of appeal.

MR. P. MARTIN trusted they would have this subject inquired into. He himself had received remonstrances from several Boards of Guardians, who considered that they had been unfairly treated by the Local Government Board. He was of opinion that the Local Government Board of Ireland, in many respects, conducted their business admirably; but, notwithstanding that opinion, he thought there should be some controlling power, so that in cases where Guardians saw fit to contest their decisions they should have the means of doing so. The Government could not, in justice, object to a power of revision and appeal being vested in some impartial body, which, sitting in the locality from which the complaint came, would investigate and determine what ought to be done. It was rather for Government than private Members to suggest the constitution of such a body; but, in his judgment, the appeal ought to be made to a more popular tribunal than the Judge of Assize. The Chief Secretary was necessarily absent for lengthened periods, and could not give the personal supervision required on the part of the Board for the more efficient working of the system; and many of those matters in dispute between the Board in Dublin and the Guardians required an examination to be had open to the public. He trusted the right hon. Gentleman would listen to the remonstrances now made, and give some assurance that the grievance would be remedied.

Mr. O'SHAUGHNESSY asked how it was that the English Local Government Board acted so differently towards Boards of Guardians to the Irish Board; how was it that, unlike the Irish Board, it worked in perfect unison with the wishes of the people? It was because the English Board was amenable to the House of Commons, while the Irish Board was not. The English Board was represented by a gentleman whose sole duties were connected with the Board; and in the case of Ireland the Local Government Board, and all the other Boards, were thrown on the shoulders of one man, and the Local Government Board was perfectly independent of the House of Commons. He fully agreed that there ought to be the power of appeal against the decisions of the Board, but believed that an appeal to some more popular tribunal than the Judge of Assize was necessary. They wanted an appeal to this House; and the way to give that appeal was to take the charge of the Local Government Board away from the present Chief Secretary, and place it in the hands of a gentleman who would have no other duties to perform. The hon. Member for Cork (Mr. Shaw) had referred to instances in which the Local Government Board in Ireland had overruled the wishes of Boards of Guardians. In the part of the country from which he (Mr. O'Shaughnessy) came this was a matter of constant occurrence. Some time ago, an addition was about to be made to the salary of the chaplain attending the large workhouse at Limerick. It had been resolved, by large majorities of the Board, to make the increase; but the Local Government Board positively refused to sanction it. In respect to the proposal to constitute the Judge of Assize a Court of Appeal, he might observe that he had always found that the tendency of the Irish Judicial Bench had been to uphold the authority of subordinate officials in Dublin. For this reason, he should certainly prefer that the appeal should be made to the House of Commons; and this could be done by a re-organization of the responsibility of the Irish Departments. He only desired to say, further, that in the confusion which prevailed with regard to the Votes for the Queen's University and Colleges several very important Irish Votes were passed, and amongst them was that for the Chief Secretary's Office. He had an Amendment on the Paper to reduce that Vote by £4,000, which he should have great pleasure in moving on Report.

Mr. SYNAN did not agree with the remedy which the hon. Member for Cork (Mr. Shaw) had proposed. He could understand the wisdom of appeals against the decisions of the Local Government Board; but the proposal to appeal to the Judge of Assize in matters of administration appeared to him simply incomprehensible. The root of the evil was that the Local Government Board in Ireland was not represented in the House of Commons. It was absurd for the Chief Secretary to tell them he represented the Local Government Board. It was impossible that he could attend to the administration of five Departments at one time. It was difficult to comprehend why it was that it had never occurred to the Government of this country to have such a Board as the Local Government Board of Ireland, representing all the local administration in Ireland, directly represented in the House of Commons by some Gentleman to whom appeal could be made in case of irregularity or illegality. There was no doubt that the manner in which local bodies in Ireland were treated was intolerable. Such treatment would not be tolerated by any body in England; why, therefore, should they be subjected to it in Ireland? Because they had no appeal; because there was no one to whom the Irish Members could appeal. If they appealed to the right hon. Gentleman the Chief Secretary, they found that he knew nothing about the matter. When he was asked questions he had to confer with the Local Government Board in Ireland. If they wanted the present state of things remedied, the Local Government Board of Ireland must be represented in this House, like the Local Government Board in England.

MR. MITCHELL HENRY said, he had a Motion on the Paper having reference to the Irish Board of Works; but, probably, it would be better if he took this opportunity of mentioning to the Chief Secretary and to the House some matters of importance connected with the subject. The Local Government Board and the Board of Works in Ireland had between them the actual material government of Ireland. The Local Government Board, of course, was composed of Commissioners; and he would suggest to the Government that they should adopt, in respect to it, a course similar to that adopted in regard to the Board of Works—namely, to appoint a Departmental Committee to investigate the operations of the Board. In that way they would get a body of reliable evidence, and the public would know what the Board was doing, and what it intended to do. The recommendation which had found some favour was that the Local Government Board and the Board of Works should be so fused together that they would have one responsible head in the House of Commons. If they had a Minister in the House responsible for these Departments they would be able to ascertain what was being done, and to obviate evils which now arose without the possibility of remedy. The Local Government Board, for instance, on its own motion, had the power of fixing the qualification of Poor Law Guardians. In some districts the qualification was very low—from £7 to £8 — but in other districts it was very high. In the very poorest districts in Ireland—namely, in the West — the Local Government Board was pleased, nearly 20 years ago, to raise the qualification to a higher figure than that of any other district in Ireland; and this was done because it was said that there had been some corruption about tenders for supply. Whether that was true or not he did not know; but he knew what was alleged to have happened a generation ago. The people in the neighbourhood had begged the Local Government Board to reduce the qualification to the ordinary amount in other parts of Ireland. He (Mr. Mitchell Henry) had himself taken a great deal of pains in this matter. Before Sir Alfred Power resigned his position on the Board he saw him on the subject, and he promised to take it into serious consideration. Nothing, however, had been done. The object of the increase of the qualification was perfectly plain. It was that the Guardians should consist only of a certain number of rich, and, principally, Protestant gentleman. This was enough to make any people discontented, and, therefore, he hoped the Chief Secretary would give the matter his serious consideration. Another matter there was which was of importance, owing to the great alterations introduced into sanitary laws of late years. The Board of Works in Ireland performed the functions of the Exchequer Loan Commissioners, and had to inquire into the security offered for any loans advanced for sanitary purposes; and the Board of Works had also the function — which, on the whole, they discharged very well—of advancing loans of money for material improvements in various parts of the country, and, for this purpose, had at their disposal an engineering staff. When the Sanitary Act was passed the Local Government Board claimed to be the authority to determine the loans for sanitary purposes. It was unwilling to have its authority trenched upon, and was unwilling to strip itself of any authority which it claimed inherently or secondarily. But the Local Government Board had no engineering staff to examine the plans submitted by applicants for loans for sanitary purposes, while the Board of Works had an engineering staff. There was thus a difficulty here; and then followed a long correspondence, and then the Local Government Board referred the point to the Treasury in London. The Treasury, after hearing the quarrel between the Boards, came to this decision. The duties of the two Boards—the Local Government and the Board of Works—in regard to sanitary loans, were decided to be the Local Government Board to recommend the loans after ascertaining the utility of the project, and to enter into the engineering merits and sufficiency of the plans, but, at the same time, to have resort to the advice of the Board of Works, who had the engineering staff competent to do the work; and to the Board of Works was allotted the duty of inquiry into the security offered by the applicants. The Local Government Board got leave to supplement their staff with an engineering officer, but they did not avail themselves of it; but it happened they had a clerk who, at some time of his life, was supposed to know something of engineering, and it was made part of his duty to examine the plans. But this examination was never carried out.

Mr. J. LOWTHER explained, that an engineer had since been appointed to the Local Government Board.

Mr. MITCHELL HENRY continued. That was just the point brought forward by the Committee, and it was their Report that brought these facts to light—that the Sanitary Laws were construed in the most absurd way, and many of them were utterly useless, and largely owing to the neglect of the Local Government Board. To go into the subject would be to disclose a most extraordinary state of things. The Local Government Board never examined the plans at all when loans were applied for; and, further than that, they objected to share the responsibility. They said—"We are not responsible for the loans; we are not responsible for the plans advised by the local engineers;" and yet they had been told by the Treasury they were responsible, and they themselves claimed the responsibility. When it was asked of them—"Suppose the first instalment has been advanced, and the applicants come forward for a second instalment, what security have you that the first instalment has been properly laid out?"—a sum, perhaps, of £10,000 or £20,000—"Oh," the answer was, "we have no security; we never examine into the question whether the money has been properly laid out; we assume it has been, and the locality, having got the first instalment, when it was asked for got the second instalment also." It might seem unreasonable to take up the time of the Committee with more details; but if hon. Members would take up the Report of the evidence they would find it showed an extraordinary state of things; and it was just those details that were at the bottom of half these Irish grievances. It was of no use giving support here and there, unless, in giving that support, Government would take into consideration the material advancement of the country. References were made from one Board to another, not one of which had sympathy with the popular requirements, who neglected their duty, and were responsible to no one. What responsibility was it to the Treasury? The Secretary to the Treasury was, perhaps, the hardest-worked man in the House; and with his utmost attention, and with all his grasp of mind, he could not master all the questions relating to sanitary loans; and he submitted that a case had been made out for inquiry into the constitution and administration of the Local Government Board in Ireland.

Mr. VERNER did not think that either of the two propositions which had been put forward—namely, an appeal to a Judge, or an official directly responsible for the Board in that House, would remedy the matters complained of; nor did he believe it would be advisable to accede to them. The Local Government Board often did what he disapproved of, and he had been nursing his wrath for some time against it on account of some flagrant misdeeds; but after hearing the complaints from the other side of the House, some of them being directed against the Board for following in certain cases a policy which he (Mr. Verner) agreed with and considered to be the right one, he said that there were undoubtedly two sides to the question, and that the Local Government Board had a very hard task before them, which, in the main, was creditably and satisfactorily fulfilled. With regard to the proposal to send another Irish official to sit on the Bench below him, he thought that, looking at the life led by the Chief Secretary and the Attorney General for Ireland, proverbially brave as Irishmen might be, an Irish gentleman would hesitate to accept such a position.

Mr. CALLAN hoped that the same course would not be followed in reference to the Local Government Board as was adopted with the Board of Works two years ago. He was himself invited to go before that Departmental Committee; but, knowing something of such inquiries, he refused, and the result had justified his apprehensions. The Committee took a large amount of evidence, and they made their Report; but the Government had done nothing upon the recommendations of that Report, and absolutely the time occupied in giving the evidence was wasted public time, and money had been expended without any result. He hoped that any mode of dealing with the Local Government Board would be shorter, sharper, and more decisive. With reference to raising the qualifications of Poor Law Guardians, there was a sliding scale provided by the Act; and he, for one, would favour the qualification for Guardians being placed much higher than it was at present. He should say the qualification of voters should be reduced, and that of Guardians raised. He should like to hear the hon. Member for Galway (Mr. Mitchell Henry) explain whether, in the Unions to which he had referred, it was the practice to admit, as *ex-officio* Guardians, men who had no qualifications? There were too many instances of this, and it conduced very much to the encouragement of jobbery. He did not think that any moderate man would wish to see the qualifications for Guardians reduced at present. With reference to the Local Government Board, he hoped the re-construction of the Board of Works would be an example to follow. At the head of the latter an Irishman had been substituted for an Englishman, a change which had given much satisfaction. In the action of the Local Government Board in refusing to accede to the desire of Guardians to reduce salaries there was much reason to complain. There had been a wave of depression all over Ireland, and in the Union of Dundalk the Guardians had almost unanimously decided to reduce the salaries of their officers all round some 7½ per cent. But the proposition was refused, and the Board in Dublin declined to give a deputation any reason for the refusal; they simply declined to allow any of the salaries to be reduced. But in the same county another Board of Guardians went to the Local Government Board; but, perhaps, because they made the application in more humble form, it was acceded to. In Dundalk, however, in the face of an almost unanimous vote, it was refused. This was a point upon which there should be some explanation, some reason assigned as guiding the Board in its decision. But as to having a representative of the Local Government Board in the House, that would be a most unfortunate arrangement. Such an official would be much better employed doing his duty in Ireland than in sitting in the House and voting *en bloc* with the other Members of the Government. It would be of great advantage if, during the winter Recess, the Chief Secretary for Ireland went over and attended some of the meetings of the Local Government Board, with a view to make himself acquainted with the manner in which business was conducted. He was certain that if the right hon. Gentleman did so his natural sense of justice would compel them to exercise a wise controlling power, and give reasons for the decisions which he was obliged to uphold in that House.

MR. GRAY said, he was not aware of any reasons for retaining the existing qualifications for Guardians of the poor. The qualification formerly required of Members of that House had been abolished; and if they had abolished it in one case he did not see why they should retain it in another. But with reference to the Local Government Board, it was a question that had engaged attention for years past. For four or five years Irish Members had been pleading for an inquiry into the constitution and management of the Board. For a long time they had urged the same thing with regard to the Board of Works, and the same reasons for resisting that inquiry were made as were now made in regard to the Local Government Board. The Departmental Committee which at last inquired into the Board of Works did its work admirably. It was a most useful Committee, and no blame attached to them because their recommendations had not been carried out by the Government. They had collected an amount of evidence which must be valuable when the re-organization came. He was convinced that equally good reasons could be shown for re-organizing the Local Government Board; and there was no reason why inquiry should be deferred Session after Session. This Board possessed the most extensive and arbitrary powers. It really had a power of veto over every sanitary authority in Ireland. The entire administration of the Public Health Act—which was one of the most important Acts ever passed for any country—was subject to the ulterior supervision of the Local Government Board, which had a veto upon every action of every sanitary authority, and also had the power of initiating, if the sanitary authority did not think fit to carry out certain measures. But the Local Government Board had not a third as much knowledge of sanitary matters as the authorities over whom they exercised control, and sometimes issued the most ridiculous directions. For instance, during the small pox epidemic in Dublin, they insisted that the Dublin authorities should provide extra conveyances, although the latter showed that they were not required, and would not be used. However, they were obliged to submit to a compulsory letter, and cabs were provided at a cost of £100 to the ratepayers, and were not used twice. In many other cases the powers of the Board had been exercised in an arbitrary and a ridiculous fashion. How was the Board constituted up to three months ago? Its President was the Chief Secretary for Ireland, and an *ex-officio* member of the Board was the Under Secretary. These they might take as two ornamental members of the Board, who did that duty admirably; but neither of them took any very active part in the administration of the Board, and, in fact, they could not be expected to do so. Then there was the Vice President of the Board, Sir Alfred Power, an officer who had done good work in his day; but who, it was admitted, had become incapable of discharging the duties, and, in fact, had only retained his office until he had secured his son in a lucrative position. That having been secured, he retired, and it would have been better had he done so 10 years before. He had served for 40 years, and during the last six or eight years of his tenure of office was unfit to be the head of the Department and for the duties intrusted to him. He was assisted by another member of the Board—the Hon. Mr. Bellew—but who did nothing but sign formal documents and draw his salary. Then there was the Medical Commissioner, Dr. Croker King; but what effective work had he initiated in sanitary reform? The real work of the Board, then, was vested in the Vice President. He acknowledged that the successor of Sir Alfred Power was a gentleman thoroughly competent for that position. He did not think that the Government could possibly have made a better appointment than that of Mr. Robinson, and he had no doubt that that gentleman would discharge the duties admirably; but even with his advice and assistance the Board was not strong enough to have the public confidence, when they held the power of veto over the Dublin Corporation, and other local authorities in whom the public had every confidence. They might make a good appointment now and again; but there never would be a satisfactory system until the Board was made responsible to the public. The Chief Secretary could do no more than, when questions were put to him, send to Dublin for replies and act as the mouthpiece of the Board. Why, a Secretary to the Treasury could do this quite as well. In the first place, to command confidence, the Board should be composed of gentlemen of high position; and, in the next place, it should be directly represented in the House. This was not merely his own view, but the opinion of the majority who had thought upon the subject in connection with the administration of the Public Health Act; and in view of the appeal made year after year there certainly ought to be an inquiry into the Office. Only after such an inquiry would public confidence be created by the re-establishment of the Board in a position and under a system to facilitate useful reforms. The result of the inquiry into the Board of Works justified a similar inquiry into the Local Government Board.

Mr. O'SHAUGHNESSY said, the hon. Member for Armagh (Mr. Verner) was very much mistaken in supposing that it was suggested, or in any way wanted, to add to the number of Her Majesty's Ministers another, charged with the duty of looking after this Board. There was an Irish Lord of the Treasury, the Member for Enniskillen (Viscount Crichton), who had nothing whatever to do; and it was supposed that, in order to occupy his leisure, he would be given charge of the Board of Works—probably at the Greek Kalends. The hon. Member for Galway (Mr. Mitchell Henry) had shown the communication between the two Boards. Now, what was to prevent the noble Lord the Member for Enniskillen taking charge of these two Boards, and coming to the House responsible for its action, and prepared to explain it? This was a way of remedying the grievance, without adding another to the existing number of Irish places. If they wanted to make these bodies really useful, what they ought to do was to give them an elective character; but, in the absence of this, the best thing they could do was to make use of the noble Lord whom they were keeping *in petto* here.

MR. MELDON said, that the general complaint was not that the Local Government Board had too many powers, but that it exercised the powers it possessed in a very arbitrary manner. There was nothing more demanded of Irish Members than that they should insist upon a reform of this power. It not only put aside, in the most peremptory manner, the wishes of all who were carrying on the work of the Poor Law, but it actually endeavoured to set itself above the law. For instance, while the Public Health Act of 1878 was before the House, a question arose as to the insertion of certain provisions. Sir Alfred Power strongly objected to these, and fought out his case with the late Chief Secretary and the Attorney General. But the House, after giving full consideration to the matter, approved of the statements made by himself and other Irish Members, and inserted them in the Act. There were two things of which great complaint was made. First, the mode of payment of medical officers, which was by scale, the result being that men got exactly the same whether they had no duties, or whether all their time was taken up. That was very irregular, and very wrong, yet Sir Alfred Power wished to adhere to that provision; and, though he was beaten, he refused to alter the scale of payment or to carry out the provisions of the Act. Now, he wished to know whether the Local Government Board, under its new Vice President, would still insist on thus setting the law at naught, and acting on the provisions of the Act of 1874, which had been repealed. There were one or two other points in which he took great interest. First, there was the Vaccine Department. He had brought this question before the House in 1874 and 1875, when he pointed out that although, for the purposes of the Vaccine Lymph Institution, the Local Government Board in England had a Vote of £20,200, in Ireland but £600 was voted. He admitted that, owing to persistent agitation, the £600 had been now doubled; but even that was a very small sum, and complaints were frequent that the supplies of lymph in Ireland were not sufficient, that the means for vaccination were inadequate, and that the number of applications refused were considerable, as they had recently had an epidemic of small-pox in Dublin; and, therefore, he hoped that this matter would be attended to, and that in future, at any rate, the supply would be unlimited, and that every medical man would have all he required. Beyond the £20,200 given to England for the gratuitous distribution of lymph, £16,000 was given by way of bonuses for successful vaccination, and the consequence was that in England the system had been brought to great perfection. There was no public vaccinator in England who did not do what he could to prevent small-pox. No similar sums were given in Ireland. It was surely as important to prevent small-pox in Ireland as it was in England, and he asked how they could account for the marked disparagement in the different grants? They had received a promise that the new Vice President would look into this matter, or, otherwise, he certainly should have felt inclined to move a reduction of the Vote. The matter deserved the immediate attention of the Chief Secretary for Ireland.

MR. J. LOWTHER, in reply, said, the Government had this Session introduced a Bill which they were most anxious to pass dealing with the question of vaccination in Ireland. The hon. and learned Gentleman had an Amendment against that Bill, which he very considerately withdrew, and if others imitated his example he believed they would be in a fair way of getting their Bill. However, if hon. Members availed themselves of their right to move Amendments, it would not be the fault of the Government if the measure did not pass into law. As regarded the medical officers, he believed a satisfactory arrangement had been concluded. His experience as Secretary of the former Poor Law Board of England would not justify the comparisons which had been drawn between the administration of local government affairs in England and in Ireland, and it frequently happened in England that the central authority did run counter to the decisions of the local Boards of Guardians. The President of the Local Government Board, like his Predecessor, the President of the Poor Law Board, was the head of the Office, and those influential gentlemen whose names figured as belonging to the Board did not exist for purposes of administration. The President had his secretary and staff, and was, for all practical purposes, the Board. Then, it had been said that the Chief Secretary was merely the mouthpiece of the Board in Dublin. Well, first of all, it had been said that the Board in Dublin did not exist, and then that he was merely its mouthpiece. He would remind the Committee that it was his duty, when inquiries were made, to represent the Department in Parliament, and very often, where he had no personal knowledge, he could not make statements to the House unless his information were derived from the Department in Ireland; and that information, in turn, was derived from references to localities in different parts of Ireland. To that extent he was the mouthpiece of the clerk collecting the information. Nevertheless, as he was President of the Local Government Board, he considered himself responsible for that Department. Then it was said the Board was arbitrary. Well, it was true that they did object to children suffering from cutaneous diseases being placed together in one bed; and when their attention was called to a matter of that kind they did think it their duty to make representation to the local authorities. Again, they thought it was a very undesirable system to transport small-pox patients in ordinary hackney carriages; and when they were asked about it the Board did think it was a very proper matter to represent to the local authorities. As to sanitary works, the Local Government Board had recently appointed an engineer, who was a gentleman of some eminence in Ireland; and though he would not forestall the discussion on the Vote for the Board of Works, it would be found, when it came on, that a general re-organization was contemplated.

Mr. A. MOORE said, that the right hon. Gentleman had given no assurance that he would look into the case of the local hospitals.

Mr. J. LOWTHER said, the discussion had taken so wide a turn that he had overlooked the question of the hon. Member. He had done so quite unintentionally, and he could assure the hon. Gentleman the matter should have his best attention.

Mr. SHAW said, he did not believe any change could be made in the Local Government Board which would be satisfactory. It did not matter what head was put on it, if its body and whole constitution remained the same. If, however, the new Vice President, who was to investigate it, were to enlarge it in some directions, and limit it in others, they might get a really good Board. The right hon. Gentleman had not said whether he would grant the Commssion of Inquiry. He was himself no opponent of Parliamentary representation of Departments, because it brought those Departments under the control of public opinion; but he did not believe that that House was a very good place for the redress of grievances which arose in the administration of Local Government Boards. They were too far off the people of Ireland in that House to hear the voice of their complaints; and even if it reached them there they could not interpret the complaints to the House, and even if they did the House would not take it as the public voice of Ireland. The things referred to might seem small; but they were very considerable matters to the ratepayers, and they interfered very greatly with the working of the Boards and of the Poor Law Guardians. They caused constant and endless irritation and friction, and they brought about a waste of time and correspondence which ought never to be initiated. He suggested that there should be some mode of appeal—some outside body—to whom the Guardians, if they thought they were aggrieved, could go in matters of discussion. He did not, as a general rule, like lawyers; but when barristers did come to be Judges they somehow managed to put off a great part of the evils which beset them during their career, and became, on the Bench, men of remarkable common sense, and with great knowledge of the country. He suggested, then, that there should be some power given to make a presentment to the Grand Jury; and, if they endorsed it, that the matter should come before the Judge. At any rate, if the right hon. Gentleman would not accept this, he hoped he would institute some sort of outside body to which the Guardians could appeal.

MR. MELDON pointed out, that the Vaccination Bill which the Government had introduced had nothing whatever to do with the question he had raised. Here, in England, medical men were paid from 1*s.* 6*d.* to 3*s.* from the local rates; while up to the present time in Ireland the uniform fee was 1*s.* Besides this contribution from the local rates, there was a grant from the Imperial Exchequer of £16,000, which also was given to the medical officers. He might be told, of course, that that was done under an Act of Parliament; but he did not see why the Chief Secretary could not introduce a similar Bill for Ireland.

SIR PATRICK O'BRIEN remarked, there was not one of them who, when they went home to their district, did not hear of some differences which had arisen in the Poor Law administration which had been referred to the Local Government Board, about which great discontent had arisen. He would put it to the Government whether, when such a feeling existed, they should not attempt to remove it in the fairest possible way by full, complete, and independent inquiry? He could conceive nothing more desirable than to remove the sense of grievance widely spread among the people, even although there was no grievance to justify it. As to what had been said with reference to Sir Alfred Power, he had had the honour of enjoying his friendship for many years; and though he did not say he was infallible, yet, having watched his action on the Board for many years, he did believe that the people of Ireland owed him a debt of gratitude for his care in the administration of the Poor Law, and his desire to do what was right and just to all classes of society.

MR. GRAY explained, that he made no attack on Sir Alfred Power, and what he had said did not prevent him agreeing with the remarks of the hon. Baronet (Sir Patrick O'Brien). He thoroughly recognized his services, and believed he was an admirable Poor Law administrator for a long time; he did not think it was any imputation on his character or ability to say that, after serving 35 years in a very laborious office, he might, with advantage to himself and his office, have retired. He might, if he had chosen, have retired long before; and what he maintained was that Sir Alfred Power kept his post in order to get his son nominated to a very lucrative office. Since that was done he had retired, and he believed that was why he had not retired before.

MR. RYLANDS, without interfering in the discussion, would just remark that Irish Members had not a monopoly of grievance with regard to centralization, and that this complaint of the central administration over-riding local boards was by no means creating irritation in Ireland alone; it was creating great irritation in England also, and it was a matter which the House of Commons would do well seriously to consider, whether, in some way or another, there could not be a system of decentralization adopted which would secure in these localities the exercise of public spirit, and the fulfilment of public duties by many gentlemen who at present shrank from office in consequence of the interference of the central body. It seemed to him that the request for an inquiry into the complaints of the Boards of Guardians was not an unreasonable one. He gathered, from the statement made by his hon. Friend (Mr. Gray), that the inquiry into the management of the Board of Works had had the effect of bringing under the notice of Government some important information; and he should, therefore, certainly be disposed to support his hon. Friend in urging the Government to inquire into the administration of the Local Government Board.

MR. J. LOWTHER could fully endorse what had been said with regard to the important services rendered by Sir Alfred Power. During the great Famine crisis, as was well known, he rendered signal services to the country, and he was very glad that it should go forth that there was only one opinion as to the extent to which they were indebted to him. It had been suggested that an inquiry, analogous to that which took place in regard to the Board of Works, might be held with regard to the Local Government Board. He thought, however, that the circumstances of the two Departments were very different; and as a new Vice President of the Local Government Board had just been appointed, he would ask him at once to turn his attention to the various matters of which complaint had been made, while the effect of an inquiry would merely be to hang the whole matter up for a very considerable time. Instead of waiting for an inquiry outside the Department, therefore, it appeared to him that the Government should conduct an inquiry itself, and the result of the consideration of those matters had already been that improvement in certain directions had taken place — for instance, the appointment of an engineer, which would enable them to exercise a far more efficient superintendence over the advances to Local Boards than was formerly the case. Various minor grievances had also been engaging his attention, and he hoped they would be satisfactorily dealt with. A general revision of the respective duties of the two Boards had also occupied attention, and he would not forestall the discussion by stating all that was proposed to be done. The appeal from the Local Government Board to some unnamed tribunal did not appear to satisfy anybody, and it only showed the difficulty of forming such a body, with reference to which he might point out that there was no such tribunal in England. He was induced to agree with the remarks of the hon. Gentleman the Member for Burnley (Mr. Rylands) with regard to decentralization. He was himself very shy of interfering with local self-government, and never approved of so doing whenever it could possibly be avoided. He hoped, however, that the Committee would not, on an Irish Vote, propose to go into a general discussion on a subject of that sort. If there were any practical abuses they were prepared to deal with them, without the assistance of any Committee of Inquiry, which assurance he trusted would satisfy the Committee.

Sir PATRICK O'BRIEN did not intend to go into the question of decentralization, but wished to say that he did not agree with the action of the Government in making a departmental inquiry. What they wanted was that a full, searching, and public inquiry should be made into the allegation that the people were hardly treated. He did not say that they were so treated; but what he wanted to impress upon the Government was that the case was such that a general and independent inquiry should have been made. He hoped the Chief Secretary would consider whether an inquiry of a public character could not be carried out.

Mr. O'DONNELL said, that the remarks of the Chief Secretary did not contain any satisfactory answer to the complaints that had been made. At the same time, he admitted that there was very great difficulty in suggesting any scheme which would meet the want. The question was—what was to be the appeal from an important Department of that sort? The appeal could only be to Parliament. There was really no other body which could decide upon appeals from so important a Department as the Local Government Board. But those appeals could not come to that House, because the vast majority of the Members were so utterly out of harmony with Irish opinion, and were necessarily so ignorant with regard to local circumstances in Ireland, that the appeal must be quite nugatory. He would not enter on the Home Rule question by a side wind; but they could not shut their eyes to the fact that there could be no appeal worthy attention from that Department, except to Parliament. While there could not be an appeal from the Board to the Imperial Parliament, because this House had neither the faculties nor the power, to say nothing of the inclination, to deal with these local affairs. They could, therefore, have no appeal except to an Irish Parliament, which was the only solution of the question. Hon. Members, before long, would be taxing their ingenuity how to provide a proper body to which appeals might be made on matters of Irish local interest; and he did not care what they called their plan, as they would have to come to the scheme of an Irish Parliament in the long run. He had a very grave complaint to make as to the decision of this Irish Department, and he was compelled to bring it before that House, although it was notoriously incapable of dealing with the subject, and they knew the opinion of that House was not worth the turn of a halfpenny, and that the vast majority of the 658 hon. Members did not know too much about England and Scotland, to say nothing of Ireland. He was obliged to take the only course open to him, and was obliged to raise this very important question on this Vote. He was quite aware that nine-tenths of the Gentlemen listening to him did not know anything about it, and did not want to know anything about it, and that when he had done the Chief

Secretary would not be much wiser than he was at the present moment. The Chief Secretary depended on a number of officials for his information, these very officials being the gentlemen against whom he was appealing. It was all very well to talk about obstruction; but just look at the way in which his business was obstructed. He was bound to bring this matter forward, although his clients would get no satisfaction whatever, and the Office in Dublin would go on unrebuked, unchecked, and unconvicted. It would be a legislative farce, and yet he must go through the farce. He complained of the Department for refusing to grant a fuller and more impartial inquiry when the first inquiry was challenged on the very strongest grounds. He should, therefore, propose to reduce the Vote by £700, the salary of the Inspector of whom he complained. That gentleman, Mr. Hamilton, recently conducted an inquiry into a disputed election in Cardendonogh, Inneshowen, in the county of Donegal. There were two candidates, Mr. B. O'Doherghty, and Mr. Ackland. The result was to return the former by a large number of votes. Complaint was made that the majority was fictitious, and that of a very large number of votes entered there was not the least guarantee that they were given. Mr. Ackland had been the member for several years; he was a general favourite, and a careful and economical Guardian; and they had every reason to believe he would be re-elected. The Local Government Board ordered an inquiry, and Mr. Hamilton was sent down. He certainly gave satisfaction to a very considerable extent, for he struck off a great number of votes; but it was contended that he conducted the investigation in such a manner that, notwithstanding the deductions, he still allowed many invalid votes to remain. It was pointed out that in several of the cases where pluralist votes had been wrongly given, instead of condemning all as illegal, he would strike one or two off out of the number, although, surely, if a vote was illegal, the whole paper was necessarily invalid. It was utterly incomprehensible how Mr. Hamilton was able to discriminate between these votes. In a lot of six, for instance, he would eliminate two, and not invalidate the other four. Again, a large number of illiterate votes were objected to, because they were illegally marked, and the Inspector allowed some to be illegal, but permitted others to remain. It was very clearly and distinctly provided that in the case of illiterate votes a mark must be placed on the paper and attested by a witness. In a multitude of these cases no such attestation had been made. Yet Mr. Hamilton, in the most extraordinary manner, allowed some of the votes, but also refused to allow some of his own mistakes to be corrected. Again, other witnesses showed that the marks had been entered in their absence, and without their consent, yet Mr. Hamilton refused to hear those protests. There were other circumstances of this kind, all of which showed that a further inquiry was necessary, and he could not at all understand why it had been refused. This complaint had created great public indignation in the county, and had excited much attention, but he did not suppose hon. Members cared about it one penny. It was, of course, a solemn sham to bring this matter before the House of Commons; but as long as the present system continued, he was obliged to do so.

Motion made, and Question proposed, "That the Item of £4,200, for Salaries of Inspectors, be reduced by £700."—(*Mr. O'Donnell.)*

MR. J. LOWTHER said, in reply to the hon. Member for Dungarvan (Mr. O'Donnell), that Mr. Hamilton, who conducted the inquiry to which attention had been called, was a very able member of the staff of the Local Government Board. The hon. Member had said that the same amount of disappointment would be felt by a person who was unsuccessful in his endeavours to obtain the appointment of Poor Law Guardian, through the decision of Mr. Hamilton, as would be felt by any gentleman who might unsuccessfully aspire to Membership of the House of Commons. The answer to that was that the gentleman selected to inquire into this election was in every way fitted for that duty. There was no doubt that every attempt had been made by him to arrive at a just conclusion, and that substantial justice had been done in this matter. He had no objection to the hon. Member bringing before the House any matter with which it was competent to deal; but he thought it desirable that the Committee should confine itself to questions of general supervision. The Petition for the re-hearing of the case referred to was, in his opinion, uncalled for.

Mr. BIGGAR thought the reply of the right hon. Gentleman the Chief Secretary for Ireland was unsatisfactory, inasmuch as it did not, in the slightest degree, go into the merits of the case, nor explain upon what grounds the action of Mr. Hamilton was to be defended. He (Mr. Biggar) regarded it as a matter of very serious importance that persons should have denied point blank that the signatures to the voting papers were not theirs, and that Mr. Hamilton had not attempted to find out the names of the parties whose names appeared upon those papers as witnesses. He had known of a case of election as Poor Law Guardians, in which certain persons were prosecuted and severely punished for forging the names of persons on the voting papers. For these reasons, he could not help thinking, that if the statements of the hon. Member for Dungarvan (Mr. O'Donnell) were correct, Mr. Hamilton had thoroughly neglected his duties in the matter of the Cardendonogh election of Poor Law Guardians, and he considered the hon. Member was bound to divide the Committee on his Motion, unless some satisfactory explanation were forthcoming. The point raised by the hon. Member was a vital one, and ought not to have been decided by an irresponsible person. And if the allegation were true, that the person whose name appeared on the voting paper declared that he had not signed it, the Government should certainly not attempt to screen the guilty parties.

Mr. O'DONNELL said, he intended to take a Division upon this Vote, although he knew that he should be opposed by an overwhelming number of hon. Gentlemen who knew nothing, and cared nothing, about the Poor Law election in Cardendonogh. The Chief Secretary for Ireland himself knew nothing about it, and, very naturally, had given no anwer whatever to the complaint made. If such a case had occurred in England, and, upon reference being made thereto in the House of Commons, the right hon. Gentleman the Secretary of State for the Home Department had returned an answer similar to that which had just been given by the Chief Secretary for Ireland—namely, that the officer whose conduct had been complained of was a very valuable member of the staff—such a fire of indignant eloquence would have followed as would have perturbed that singularly calm and composed official. Even if the Chief Secretary for Ireland knew more than he did about the case in question, his observations upon it would be thrown away upon the hon. Gentlemen by whom he was surrounded. He felt that in dividing the Committee the division would be taken in the dark; that not five Members would understand anything about the point raised; and that his Amendment would be thrown out in a way that would be typical of all legislation relating to Ireland. He would remind the Committee that the satisfactory working of legislation as a whole depended upon the proper working of its parts; and that, although the complaints brought forward by him might be sneered at by hon. Members as microscopic, the Government which was not fitted to endure microscopic examination was undeserving of support. He was almost inclined to hope that he should get no following into the Lobby, because that would be a result typical of the utter uselessness of bringing before the British Parliament complaints which it was never constituted to deal with.

Question put.

The Committee *divided*:—Ayes 8; Noes 141: Majority 133.—(Div. List, No. 196.)

Mr. BIGGAR reminded the Chief Secretary for Ireland of a Question which he had addressed to him on a former occasion with regard to the contracts for coals made by the Local Government Board; and suggested that if the right hon. Gentleman would undertake to send down an Inspector to inquire into the circumstances complained of, he (Mr. Biggar) would not trouble the Committee with any further remarks upon the subject of the coal contracts. Failing that assurance, he would be obliged to take a Division with regard to this question.

Mr. J. LOWTHER, upon general grounds, thought it desirable to remove any suspicion which might exist concerning the contracts for coal, and would, therefore, promise that an Inspector should be sent down to inquire into the subject.

Original Question put, and *agreed to.*

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £23,007, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Office of Public Works in Ireland."

MR. MITCHELL HENRY regretted that he would be compelled to move the reduction of this Vote by the sum of £1,500, being the salary of the Chairman of the Board. The subject he was about to deal with was a large one; but he would endeavour to be as brief as possible in the remarks which he had to make. First of all, he would express his regret that the Forms of the House left no other course open to him than to treat this matter, to a certain extent, as a personal one. But he was bound also to state his honest belief that so long as the present Chairman of the Board of Works remained in office it would be impossible that the Department should be efficiently and satisfactorily administered. The Irish Board of Works had been the subject of discussion in the House of Commons for many years; and, owing to the great number of duties which it had to perform, nothing analogous to it existed in this country. Unlike the Board of Works in England, it acted as a body which advanced money for all kinds of works in Ireland; it discharged duties relating to Exchequer loans, and the planning and surveys of railways, as well as numerous other functions. It had also under its control an annual expenditure of no less than £200,000, and furniture of the value of £500,000. Without going into the history of the Department at any length, he would remind the Committee that the Board of Works had grown in a very extraordinary manner since it was first originated, in 1831. The Irish Parliament had been alive to the importance of improving the inland navigation of the country, and the English Government also took up the subject in 1831, and appointed a Board of Works with very large powers, consisting of three Commissioners and a staff to perform duties with regard to fisheries, and the very extensive public works then going on in Ireland. The Committee had heard of the Shannon Commissioners, a body that was perfectly separate and distinct from the Board of Works, and who, to some extent, had improved the inland navigation. Now, the Shannon Commissioners having reported that their works were nearly at an end, Parliament, in 1846, dissolved that body, and merged them into the Board of Works. That point was very important. One of the Shannon Commissioners was appointed a member of the Board of Works, and two Commissioners of the Board were appointed to see to the conservancy and maintenance of the Shannon. Everyone knew that there had been an enormous amount of trouble connected with the navigation of that river, which was constantly overflowing its banks and inundating large tracts of the adjacent country; and that the works to be executed by the Shannon Commissioners were laid down by Act of Parliament, after an expensive process of inquiry, by English and Irish engineers. But he asserted that those works were never carried out in the way directed by the Act; and that, in some instances, deviations were made of the most injudicious character. The greatest deviation, however, was that the works had never been completed. The Committee would recollect that every two or three years complaints had been made with regard to the state of the River Shannon; and that hon. Members who had to put them forward in the House could never get any satisfactory answers to these complaints, because of the impossibility of fixing any body with the responsibility for what had occurred. The Board of Works into which the Shannon Commissioners merged, in 1851, said truly—"We had nothing to do with the drainage of the Shannon; we are not responsible; and we will not give any information as to whether these works have been properly executed or not." The Shannon Commissioners, in the most adroit manner, evaded their responsibility by constantly making a separate Report, distinct from that of the Board of Works, although they had been dissolved by Act of Parliament. The fact was, that in all the complaints made to the House of Commons Parliament had had to do with a phantom Commission. Originally, the Board of Works consisted of five Commissioners, which number at length sunk down to three, the minimum according to the Act of Parliament. In 1864 the Chief Commissioner — Sir Richard Griffith — a very distinguished man, and who had recently died at the age of 90 years, retired from office; and whilst he was in retirement there remained only two Commissioners on the Board, a number insufficient to fulfil the requirements of the Act of Parliament. In order, however, to keep within the letter of the law, Sir Richard Griffith was made an honorary Commissioner; and since that time, whenever complaints had been made in the House of Commons as to the inability of the two Commissioners to discharge their duties, and as to there being no Board meetings, the answer of the Chief Secretary for Ireland had always been that —"The Board had the inestimable advantage of the opinion of Sir Richard Griffith, that distinguished man who knows everything, and takes an active part in the duties of the Board." Would the Committee believe that Sir Richard Griffith, although he had been vouched for by the Chief Secretaries for Ireland as taking an active part in these duties, had never, since the day of his retirement in 1864, entered the Office, and that he had never been asked a question, or in any way consulted by the Commissioners of the Board of Works? Of course, he (Mr. Mitchell Henry) knew that the Chief Secretary for Ireland of the time thoroughly believed in the truth of his statements to the House in this respect; but the facts were elicited in evidence before the Committee of 1877, that Sir Richard Griffith had never entered the Office since the day of his retirement, and that he had never had one single point put before him. One of the consequences of this was that the Board of Works kept no minutes of its proceedings, for it was found out by the Committee that no minutes had been kept by the Board Secretary for nearly 14 years. When the Chairman of the Board of Works was asked about this, he said that he had never known of any minute book ever having been kept; while the cross-examination of the Secretary as to what had become of the minute book was of the most amusing description. The fact, however, was that, as long as the Board was properly constituted, minutes were kept by the Secretary, and duly signed by him and the Commissioners on the Board; but for some years after the retirement of Sir Richard Griffith they were kept very irregularly, being in some instances not signed at all. Since then the Board had never acted as a Board of Works; no minutes had been kept; and the Commissioners themselves were actually ignorant that there were any minute books. The Committee was familiar with the complaints made against the Board of Works two years ago, and with the fact that the Chief Secretary, who was himself very much dissatisfied with the state of affairs, had, in consequence of these complaints, promised that a Committee should be appointed to go thoroughly into the question of this administration. Accordingly, in 1877, a Departmental Committee was appointed by the Treasury, consisting of the noble Lord the Member for Enniskillen (Viscount Crichton), the hon. Member for Carlow County (Mr. Kavanagh), the Hon. Charles Freemantle, Deputy Master of the Mint, Mr. Herbert Murray, Treasury Remembrancer in Ireland, and himself (Mr. Mitchell Henry). The Treasury also appointed, as Secretary to this Committee, Mr. W. E. Hamilton, with whose ability he believed every Member of the Committee was deeply impressed. It might, naturally, be supposed that he (Mr. Mitchell Henry) had not entered on the proceedings of that Committee with a strong impression that much good would result from the inquiry; and owing to the official element in it being so large, he certainly did think that there would be difficulty in making the investigation as thorough as he wished it to be. But he believed that never had there been a Committee composed of men more anxious to elicit truth than that Committee. The hon. Member for Dundalk (Mr. Callan) had spoken, some little time ago, very slightingly of the labours of the Committee, and, amongst other things, had charged them with having wasted a good deal of public time; but, certainly, no such charge could be fairly brought, for the Committee sat for considerably less time than three weeks, day by day, and all day, The hon. Member was one of those who were most loud in their complaints against the Board, although he hinted at more than he stated concerning it; but when the Committee, as a first step, asked for the assistance of hon. Members who made complaints, they could get no answer at all from the hon. Member for Dundalk, who would not come forward. This circumstance was referred to in the Report of the Committee in the following terms:—

> "We should mention that we specially invited two Members of Parliament, who had taken a prominent part in those discussions last Session, to come forward to assist our inquiry; but one declined our offer, and the other took no notice of it."

Therefore, he thought that no notice should be taken of what was stated by the hon. Member for Dundalk. The Report of the Committee was produced in June, 1878; and although they were now in July, 1879, nothing whatever had been done in this matter. Hon. Members had stimulated the Government by Questions, and they had been informed that the subject was coming on; but he was convinced that nothing would be done unless the House put some pressure upon the Government. This was not the first inquiry which had been held upon the Board of Works, for in 1871 the Government now out of Office appointed a Committee of Inquiry, at the head of which was Lord Lansdowne, and that Committee made a very important Report. But what became of that Report? That would be seen from the Report of the Committee, of which he (Mr. Mitchell Henry) was a Member, which said—

> "In the course of our inquiries we had occasion to make frequent reference, as was contemplated in our instructions, to the Report made by Lord Lansdowne's Committee in 1872, and we must express our surprise at the way in which it was dealt with by the Chairman. Though your Lordship's instructions respecting it were communicated to the Board in a formal printed minute, which was made an official record, yet the Report itself, upon which the minute was framed, and without which it could hardly be properly understood, was retained by the Chairman as a confidential document. We found that the Report had never been communicated by him to the Assistant Commissioner, or any of the officers of the Department, and that, as regards the general administration of the Office, it has, for all practical purposes, remained a dead letter. We cannot think that this was the intention of your Lordships, or that the course taken by the Chairman has been conducive to public interests."

That was the way in which the Report of Lord Lansdowne's Committee was dealt with. But the House had been further bamboozled over this Report; because when it became known that this important Committee had reported, Questions began to be asked about it in the House of Commons, and the Secretary to the Treasury, in answer to one of them, said—

> "That the Report examined a very wide field, and had been referred to a Committee, owing to a difference of opinion between the Chairman of the Committee and the Chairman of the Board. . . . but that the Treasury had now come to a decision on the subject, and it was on the point of being carried out."

That recommendation had never been carried out at all; it had never even been communicated to the Colleagues of the Chairman; and it had never been communicated to the noble Lord in his Office; and it was found out, by the Committee of 1877, that the Report in question had been allowed to remain a dead letter, and, he must add, treated in a very contemptuous and improper manner, by being put into the pocket of the Chairman and allowed to remain without any notice whatever being taken of it. Under those circumstances, and in view of a great many other points which came before them, the Committee found it to be their duty to make a recommendation, which he was obliged to refer to at some length. When the Committee remembered of whom the Committee was composed, they would see that it was not at all likely that any direct recommendation would be made for the retirement of the Chairman of the Board of Works, unless under a sense of deep responsibility. The Committee, therefore, wrapped up the intimation as delicately as they could at the end of their Report in this way—

> "We hope that the recommendations already made will more effectually secure to the public the advantages intended by the Legislature; and that they will, in great measure, remedy the defects in the administration of the Board. At the same time, we feel that the Head of this important Department should possess unusual administrative abilities; that he should command your Lordships' entire confidence by a vigorous and comprehensive grasp of the subjects with which he is called upon to deal; and that he should be able, both in his recommendations to the Treasury and in his communications with the public, to enforce his views with authority. Nothing can be farther from our intention than to deprecate the merits of the present Chairman, or detract from the value of his long and (we may add) distinguished public services. Nothing can exceed the zeal with which he has applied himself to his work, or the conscientious industry which he has brought to bear upon it. It is possible, however, that after so long a period of service, rendered peculiarly arduous

> in consequence of the incomplete constitution of the Board, he may now feel unequal to the strain which our view of the responsibilities, if approved by your Lordships, would necessarily entail, so as to enable him to do full justice to himself, as well as to the Department; and, if so, while regretting that the Board should be deprived of the advantage of his great experience, we think that he should be afforded an opportunity of retiring, and that a special pension should be secured to him."

Such was the delicate recommendation that the Chairman should quit office. This portion, however, of the Report was dissented from by the noble Lord the Member for Enniskillen (Viscount Crichton), who appended to the Report the following statement:—

> "I regret I am unable to concur in the recommendation contained in paragraph 324 above, which I cannot but regard as equivalent to an intimation that the retirement of the Chairman is desirable. While I have not hesitated, in the course of the Report, to join in the censure passed on the action of the Board in certain respects, and for which Colonel McKerlie, in his capacity as Chairman, must be regarded as responsible; still, on the whole of the evidence submitted to us, I cannot see sufficient grounds to warrant such a reflection upon his management of the business of the Board, and I should be glad to think that the advantage of his great experience and intimate acquaintance with the duties of the Office should be preserved to the Department in the future."

The Treasury, in his opinion, should have taken into account the persons from whom this recommendation in favour of the retirement of the Chairman emanated; and he thought that the Treasury ought by that time to have read their evidence, and to have ascertained whether or not there existed good grounds for intimating to the Chairman that he should retire. For his own part, he was fully convinced, though he regretted to say it, that the Board could not be efficient if the present Chairman was not succeeded by some officer who would take a wider view of his duties. The present Chairman was precisely one of those men who ought not to be at the head of the Board of Works; he was a man who insisted upon the smallest letter, and the smallest minute, passing through his hands; in short, he insisted upon doing everything himself, and was, therefore, without that most essential power in public men of making use of other people. The greatest hardship, inconvenience, and cruelty had been inflicted upon individuals, and upon localities, in consequence of the physical and mental impossibility of the Chairman attending to all the duties which he insisted upon performing. He could not understand why Her Majesty's Government had determined upon keeping things in their present state. They had not even appointed the three Commissioners required by the Act of Parliament, and the Board was, in consequence, at that moment absolutely illegal in its constitution. It was now necessary for him to give some example to show that the Committee were justified in their complaint. The inland navigation of Ireland cost £5,000,000, and the works were now almost useless, for two reasons. First, they had been very much superseded by railways; secondly, they were useless, because they were not connected with each other. Moreover, they had been imperfectly finished, and hardly one of them was in a fit condition for navigation. The Committee would see, by the instance he was about to refer to particularly, how the public money had been squandered in Ireland. The Ballinamore and Ballyconnell Canal passed between Lough Erne and the River Shannon. The works were undertaken, in conjunction with the arterial drainage of the district, under the Act of 1842. They were executed between 1846 and 1859, at a cost of £228,652, of which £198,652 formed a charge upon the public funds. Now, in 1860 the Board reported that this canal was complete, and handed it over, in the usual way, to trustees, who would have to maintain it, while the inhabitants would have to repay the amount of the loans expended thereon. The trustees, who were gentlemen in the district, after receiving the notice that the canal was complete, unfortunately took possession of it; and —this was the point—afterwards desired the county engineer to examine the works, and to report upon their condition. This Report had been duly forwarded to the Board of Works within a few weeks of the so-called completion of the works; but it was concealed by them, and was only ferreted out by the inquiry of the Committee of 1877. And this was what the Report said—

> "The absolutely useless condition of the canal, indeed, was only made clear in the Report of Mr. Pratt, the county surveyor of Leitrim and engineer to the trustees, immediately after the transfer had taken place. That Report was duly forwarded to the Board of Works; but the facts disclosed in it, which are tolerably conclusive, have never been made public till now.

> The Report shows that at the time the banks were giving way, and had been improperly sloped, which was causing a considerable deposit of mud—that the towing path had been badly made—that some of the locks had been so defectively constructed, that the masonry was forced out and the sides leaked—that the gearing and uprights of some of the sluices had worked loose; that the approaches to most of the bridges had subsided; that the lock houses were crumbling down; and that the articles of property handed over, such as dredges and barges, were old, rotten, and worn out."

One member of the Board of Works, on behalf of the Government, had made a great deal of the fact that not only had they handed over the works, but also the dredges and barges to the trustees, and said that this was an act of great liberality. Innumerable complaints had been made to the trustees of this state of things; but the canal, to that day, remained simply a mass of mud and vegetable matter. He would now pass to another subject—namely, the Hind River drainage, which, after many complaints had been made to the Board of Works, was found to be perfectly useless. After tremendous pressure had been put upon the Government, an Inspector was directed to go down and examine this particular work. The Board of Works sent down their assistant engineer to see what was the cause of the obstruction, and he very promptly reported that the works had never been thoroughly executed; that there was a great quantity of back water; and that the Board of Works, having undertaken the work and received money for it, were bound to remedy the existing evils. On the return of this officer to Dublin, the Chairman himself went down to look at the works, and, without taking any measurements, or doing anything but walking about, with his umbrella in his hand, made a counter Report, which left the evil without any redress at all. Subsequently, he might add, the Treasury interfered, and took some steps. Another important matter was with respect to an Act which had been passed, as was well known, with the object of providing for the erection of dwelling houses for the poor. What had been done with respect to that? The right hon. Gentleman the Chief Secretary for Ireland ought to direct his particular attention to the subject; because it had been found that lodging houses for the labouring classes in Ireland had not been erected, as had been expected. It had been found that the cause for that had been the action of the Board of Works, or, rather, of the Chairman of the Board, for that gentleman had refused to carry out the Act, because he did not approve of its policy. The reason which had been alleged by the Board for not interfering in that matter was that the applications made were not for a benevolent, but for a remunerative purpose. One man had expended a good deal of money for the erection of lodging houses, and when the Act was passed he asked for a loan from the Board, but it was refused; and it turned out that the only ground for refusing it was that the Board considered that the erection of these lodging houses would produce some profit to the builder. If the matter had been brought before any Board, such an absurd construction of the Act could not have been arrived at; but the Chairman took upon himself to construe the Act of Parliament exactly as he liked, and, in consequence, the Act had become nearly a dead letter. Numbers of cases equally as absurd, and equally cruel, and, in some respects, more ludicrous than the one to which he had drawn attention, had occurred. There was another matter to which he would allude —there was an architect connected with the Board of Works. What happened as regarded him? A loan was applied for to enable dwelling houses to be erected in Belfast; but the architect said that he knew Belfast very well, and that there were too many houses there already. He declined to examine the locality, and simply reported to the Chairman that no grant ought to be made for the erection of lodging houses in Belfast. Another point arose in connection with the architect—but he would not go into it if the right hon. Gentleman the Chief Secretary would give some information as to whether anything had been done with regard to it —namely, the architect was the head of a building society. The architect held a most anomalous position in advising the Board as to grants of money for the erection of lodging houses, while, at the same time, he was connected with a large building society which granted money for the very same purposes. That was directly contrary to the instructions of the Treasury; and in the Report the Commissioners drew the attention of the Treasury to that fact. He thought that the Treasury ought to take some notice of it, and should take care that it did not occur again. These matters caused enormous irritation in Ireland; and he believed that they were the cause of half the discontent that existed in that country. He would not go further into these matters; but he would distinctly ask what the Government was going to do with the Board and with the Chairman, and whether the various recommendations of the Commissioners, for the better administration of the Board, were to be carried out? Would the Committee believe that the Board of Works had about £500,000 of furniture under its care, and that it had no inventory of it! Since the Report, it was said that something had been done; but he could not speak with certainty. He could not imagine any Board as negligent as the Board of Works in Ireland. In bringing forward the Motion they directly impugned the management of the Board of Works, and the conduct of the Chairman; and in asking the Government whether they insisted upon retaining the Chairman in his present office, with the experience that had been brought out in the Report, he might say that they were thoroughly convinced of the integrity and ability of the subordinate officers of the Department. He begged to move the reduction of the Vote by the amount of the salary of the Chairman.

Motion made, and Question proposed,

"That a sum, not exceeding £21,507, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Office of Public Works in Ireland."—(*Mr. Mitchell Henry.*)

COLONEL COLTHURST wished to bring before the notice of the Committee one point in connection with that matter. He agreed with the general question brought forward by the hon. Member for Galway, and thought that, as the Board of Works was at present organized, nothing could be expected from it. That was abundantly proved by the evidence brought before the Committee. The point which he wished especially to urge upon the notice of the Treasury was a suggestion that had been made, to the effect that power should be granted to the Board of Works to enable it to make advances to the managers of industrial schools. Up to the close of 1876 over £160,000 had been expended by the managers of industrial schools in buildings. There were no powers in the Irish Act enabling grants to be made to those schools. Some powers had been given to the local bodies in England recently to make advances for furnishing and building those schools, and the school boards had also facilities for getting money from the Treasury, spreading the re-payment over a number of years. What he would ask the Government now to consider was the feasibility of extending to the managers of industrial schools in Ireland the power of obtaining loans from the Board of Works, and, in fact, granting them the facilities that were afforded by the Glebe Land Act. That would enable the Board of Works to make advances to the extent of two-thirds for the building of industrial schools. He would not press the Government for an answer on that occasion; but he wished the subject to be considered.

MR. A. MOORE said, that for the last two or three years he had pressed the Government to permit loans to be made to these schools in Ireland. The proposal fell through, because the hon. Gentleman the Secretary to the Treasury, after consulting the Treasury authorities, stated that he had come to the conclusion that it would be impossible to do it, because they could not obtain proper security. Of course, if security could not be given, loans could not be expected. But there were many cases where very ample security could be given. In some cases 100 statute acres or more of land were possessed within three or four miles of a large town, and the value of that land for building purposes must be very great. There would be no difficulty, he felt sure, as to the security, if the Government would take the power to grant the loans. Of course, if people could not find security, they could not expect loans. But there were many cases where it could be found; and he thought it would be wise in those cases to grant money to be spent in works of so useful a character.

MR. ERRINGTON said, that there was no Department of the Public Service in Ireland which was so much in want of proper organization as the Board of Works. His hon. Friend the Member for Galway had touched upon various points into which the Commission had inquired; but there was one point excluded from that inquiry. He did not think that anybody who had been upon the Committee alluded to by the hon. and gallant Member for County Cork (Colonel Colthurst) could help being struck by the remarkable evidence that was given on that subject. They were not inquiring into the efficiency of the Board of Works, but the question came before them indirectly. The carrying out of the Land Act was intrusted to the Board of Works; and it had been shown that the whole action of the Board in respect of it had been most destructive and most useless, and, in fact, of so detrimental a character that it was impossible to find Parliamentary language in which to express his opinion of it. It was shown that, although the Board of Works kept minute books, yet more than one Commissioner was never known to sit. Many curious things of that sort came out in respect to the Board. It seemed to him that the most serious charge which had been made by his hon. Friend the Member for Galway was, that since the Report of the Commission, the Government had done nothing to carry out its recommendations and reform the Board of Works. The object of the Commission was to ascertain and point out those abuses which existed; and unless some assurance were given that the recommendations of the Committee would be carried out upon a comprehensive scale, they could not be satisfied. He hoped that his hon. Friend would elicit some statement from the Government as to what was going to be done in the matter. They would not be satisfied merely with some small insignificant changes of detail, for a thorough re-constitution of the Department was required. He would ask the indulgence of the Committee to state, with reference to a Vote passed in the earlier part of the evening, when he was not in the House, that he should not have thought it his duty to vote for the Amendment, because the Government was willing to agree to the Queen's Colleges Estimates being taken at a later period.

MR. P. MARTIN thought that they were very much indebted to the hon. Member for Galway for the exhaustive speech in which he had brought that matter before the notice of the Committee. The Report to which he had drawn attention had been before the Government since June, 1878, and he regretted to say that not one single step had been taken to carry out the recommendations contained in it. He could understand it might be alleged that the difficulties which no doubt existed in determining the future organization and constitution of the Board of Works was an excuse for the singular inactivity on the part of the Government, so far as respected the re-constitution of the Department. But it had been very clearly shown that the action of the Commissioners had been much obstructed by the various Acts of Parliament which directed the operation of the Board and controlled its actions. Those Acts of Parliament were of a most complicated character, and many of them were contradictory; many had been long since repealed, and others substituted for them, and the Report had recommended that they should be consolidated. Those interested in the progress of Ireland not unjustly complained that not one single step had been taken since June, 1878, in respect to the consolidation or amendment of any of those Statutes. No Board more widely affected the welfare of Ireland than the Board of Works. The duties of the Board of Works concerned every part of Ireland; and it was incumbent upon the Government to make the law, by which the action of the Board was regulated and controlled, as plain and simple as possible. Was it not a matter in which they, as Irish Members, had cause to complain that, in consequence of the lethargy of Her Majesty's Government, they had been deprived of the benefit of the Drainage Acts in Ireland, inasmuch as they were wholly and entirely unworkable? If the Drainage Acts were properly worked a good deal might be effected in Ireland towards the reclamation of waste land, and very great good might be done for the people. The result of the inquiry instituted by the Commissioners named by the Government was made known so far back as June, 1878; yet since that time no step had been taken to carry out their recommendations. Was it wonderful, under those circumstances, that there should be the widespread demand in

Ireland for Home Rule, when they found the English Parliament unable to grapple and deal with those matters which affected the welfare of Ireland? The suggestions which had been referred to had been made by gentlemen appointed by the Government itself, and they were of importance to the farming classes, the landed classes, and to every rank of people in Ireland; but they had, nevertheless, been left wholly neglected. He trusted that the entire subject would engage the early attention of the Government; and that they would be prepared not only to give effect to the recommendations in the Report, but to submit some bolder and more comprehensive scheme, as had been so properly suggested to the House, early next Session.

Sir HENRY SELWIN-IBBETSON said, that the Government had been charged with neglecting to carry out the recommendations made by the Committee appointed a year ago. It was said that it was a scandal that the recommendations of the Committee should have been left uncared for, particularly when, if the Drainage Acts had been carried out, very great benefit might have resulted to Ireland in the present state of affairs. He hoped to be able to satisfy the Committee that the Government were not so much to blame as they had been represented. When the Report of the Committee came into his hands he need scarcely say that, although it was by no means a short document, he made it his duty to ascertain and to examine the recommendations which it embodied. With regard to the recommendations as to the consolidation of the Acts dealing with the administration of the Board of Works in Ireland, the Treasury at once instructed gentlemen competent to deal with the matter to prepare a codification of those Acts. Since that time, a codification had been in course of preparation; but numerous Statutes had to be gone into, and the labour of codification was very great, and could not be done at a moment's notice. So far as the work of codification was concerned, he hoped that the Government, before long, would be enabled to put before the House a complete and sound codification of those Acts. That, no doubt, was a very important item of the recommendations made by the Committee; but there were various smaller items, and to those attention had also been given. With regard to the case of the Galway Mills, an inquiry into the matter had not, at the present moment, been commenced; but a gentleman had been appointed for the purpose of making the inquiry, and would commence his labours in a short time. There was another point which had been dealt with in the recommendations, and which would also form the subject of the earnest consideration of his right hon. Friend the Chancellor of the Exchequer—namely, as to the necessity for further inquiry, by Royal Commission, into the navigation system in Ireland. That Commission had been delayed in consequence of some further matters which his right hon. Friend wished to be inquired into. He thought he might fairly say that the Commission would be issued before very long. But, perhaps, the gravest charge that had been brought forward by the hon. Member for Galway was that the Government had done nothing to carry out the recommendations of the Committee with regard to the re-construction of the Board of Works. Although he (Sir Henry Selwin-Ibbetson) quite admitted that, to anyone who had gone so thoroughly into the question as his hon. Friend, it might seem a very simple matter, yet the recommendations of the Committee appeared to the Government to embrace a very wide and difficult field. The questions raised extended not only to the Board of Works itself, but went into other subjects affecting the Local Government Board and other bodies in Ireland. His right hon. Friend the Chancellor of the Exchequer had postponed the matter with the view of himself making an inquiry into the whole system, and with a view of seeing whether a large part of the duties at present performed by the Public Works Office in Ireland might not be much more properly intrusted to the Local Government Board. The Public Works Office in Ireland performed a great many more duties than the corresponding Department in England. Many of those functions might, it was thought, be very properly transferred to the Local Government Board. Therefore, it was not desirable to make any alterations in the Board of Works until it was absolutely decided whether it should be retained in its present form. In his humble judgment, the time would have been lost in the settlement of the question by their not having dealt with the matter in a hurry. Under those circumstances, a new history in local government in Ireland might be created, and the local works in Ireland might be brought under the control of the Local Government Board. No doubt the Local Government Office would have to be strengthened, in order to enable it to carry out those additional duties; and the Board of Works would continue to look after buildings, furniture, and kindred details. The staff of the present Office of Works would be transferred to the Local Government Office, and in that way the scheme contemplated by his right hon. Friend would not involve greatly increased expenditure. That was the excuse which the Government offered for not having as yet interfered to carry out that particular recommendation of the Committee. There was one other question which the hon. Gentleman the Member for County Galway approached at great length, and he hoped that he would pardon him if he stated that he could not agree with his opinions. The hon. Member had pointed to the Chairman of the Board of Works, and to the Report of the Committee upon him. The recommendations of the Committee were certainly made in very discreet and courteous language; but those recommendations pointed to nothing less than the retirement of Colonel McKerlie. He would point out that Colonel McKerlie was an officer who had done very great public service, and was a most indefatigable and most energetic functionary. Numerous Acts of Parliament which had been beneficial to Ireland in their results had their origin in his suggestions. After the most careful consideration of the evidence adduced before the Committee and of their Report, he could not help thinking that the suggestion with regard to Colonel McKerlie's retirement was made under a misapprehension of the facts. Colonel McKerlie was placed in a position of great difficulty, from the Board which he was supposed to superintend having been, practically, destroyed. Additional duties had been imposed upon the Board of Works, and therefore upon him, and they had accumulated to an extent which made it utterly impossible for him efficiently to carry them all out. Many of the complaints as to the administration of the Office of Works in Ireland he attributed really to that fact. The Commissioners were originally five in number; two of those Commissioners very shortly left the Office, one dying, and another being appointed to another office. The Treasury of the day on each occasion of a vacancy refused to allow it to be filled. Another Commissioner, on his retirement, was asked to continue an ornamental member only; he did so, but, of course, he took no active part in the work of the Board. The Treasury had at length appointed an Assistant Commissioner; and for some time two Commissioners had done the whole work of the Board. But the work of the Board had increased so enormously within the last two years, that it would be impossible even for the two Commissioners to do the work properly. The whole blame had been thrown by the Committee upon the unfortunate Chairman; but it was his opinion that that gentleman had always endeavoured to carry out his duties to the best of his ability, and that there was no real cause of complaint against him. He confessed that, looking to the past history of the Board, and looking to the way in which the work had been carried out during the whole time of his appointment, he should be somewhat inclined to agree with his hon. Friend that the Chairman had been anxious to do everything himself, and not to allow any other man to assist him; but he thought that arose from having no one to assist him, and that he had really undertaken what no man could be expected to carry out. If the proposed alteration with respect to the functions of the Board were carried, he ventured to think that Colonel McKerlie would be thoroughly competent to discharge the duties of his office. He trusted that the Committee would not endorse the recommendations of the Report with regard to the Chairman of the Board. He ventured to think that what he had submitted to the Committee was a justification for the postponement, by the Government, of any action in respect to the recommendations of the Committee, and that it would be seen that those recommendations had not been neglected, and that the Government were taking steps to carry them out.

MAJOR NOLAN wished to ask a very simple question about the system of issuing loans in Ireland for public works. The system, up to the present, had been where the loans were for arterial drainage, and other purposes of that kind, to pay them off by means of annual instalments which exceeded the interest by about ½ to 1 per cent. That system had been found to work very well; and he wished to know whether there had been any reports protesting against that system? because he found that a Bill was before the House which proposed to abolish that system. He believed the Irish people were very strongly in favour of its continuation, for it worked very well, and its abolition would stop a great number of works altogether. He would like to know whether this was only an idea of the Treasury, and on what grounds the change was based?

SIR HENRY SELWIN-IBBETSON said, there had been no such reports as those suggested by the hon. and gallant Gentleman from the Office in Ireland, and in the Bill before the House there was no intention of altering the way in which these loans were made. The clause of the Bill affected another class of loans altogether. As to the question of loans for industrial schools, which had been touched by one or two hon. Members, he could quite understand there would be considerable advantage in the alteration of the law, and that it would be an encouragement of purposes he had always been anxious to assist. He would look into the case to see if any alterations could be made which would give such facilities as had been suggested.

MR. SHAW remarked that there was a little matter of administration which he had once before brought to the notice of the Financial Secretary. In the case of third-class clerks, referred to on page 66, owing to the promotion of the second-class clerks, their prospects of promotion had been entirely stopped. It had been recommended by a Committee that they should be put into the second-class; but though that recommendation had been a very long time before the Treasury it had not been acted upon, and these men had no chance of getting promoted, and might go on as they were until the Office was re-organized. He hoped the right hon. Gentleman would carry out the recommendation of the Commissioners at once. The change would cost a very small sum of money; and as the right hon. Gentleman, whenever he did make any changes, could not help doing this, he might as well do it at once. He should wish, also, to ask whether he had considered how the proposed enlargement of the lending powers connected with the "Bright Clauses" of the Land Act could be carried out? At a comparatively early period of the Session he promised to consider the whole matter before the end of the Session, and bring forward some suggestion to enable these loans to be more easily made; but up to the present time they had heard nothing of the question. He was sure that the extensive applications for money to the Board of Works were hindered very much by the red-tapeism of the Office. He knew in his own county that farmers borrowed money at 6 per cent rather than try and get it from the Board of Works at 4 per cent. He did everything in his power to induce them to be more careful of their own interests; but their reply was that it was so roundabout a process and so many returns were wanted, and they only got a small amount of what they applied for, and therefore they preferred to get the money even if they had to pay 2 per cent more for it. There had been a great deal of talk about the re-construction of this Board, and the sooner the Government brought in a small Bill to carry it out the better, for it was the cause of much difficulty and obstruction in Ireland. He hoped, however, before they carried out any extensive changes, either in destroying Departments or amalgamating Departments, they would put their plans before the House, and allow them to be discussed. He did not wish to say anything against the Board; but he had a very simple piece of business to do with them once. He had some property leased from them, and he wanted to give facilities to the fishermen at Howth to get their provisions there, which would have saved them a good deal of time and money. After a great deal of correspondence, however, he was told that the Board could not assent to it, because there was something in the lease against it, although the alteration would have kept the men out of the public-houses, and would have saved their money. Happening to be in Dublin, he went in to see the Board. He heard what they had to say, and then he put on his hat and went out, determined that he would say no more, for that to talk to them about the matter was perfectly useless. They did not want in Ireland another Board like that. They wanted to bring public opinion to bear on its action, and to mix up with the paid officers men who would be representatives of public opinion. There was no reason why the County Boards or the Poor Law Unions should not elect representatives yearly to go to Dublin and examine the claims of cases which might come before them, as to which they would be guided and assisted in deciding by the officials in matters of scientific knowledge. He did object, however, and he always should object, to pay two or three engineers, shovelling them into a room, and there leaving them to administer the affairs of the county of lending money for public health and building artizans' dwellings, and so on, without anybody overhauling them. He hoped some attention would be given, and some desirable alterations made.

MR. BRUEN, after the observations of the hon. Member, thought it right to say that he had had some experience of this Board, having had communication with it for several years, and he was bound to say his experience of the Office and its working was diametrically opposite. He had frequently gone there, and he had always received the most business-like information on all matters; and, as far as his own experience went, he had no single complaint to make. Though he had not always been successful in his applications, when he had failed, good, fair, and plausible reasons had been advanced why he should not succeed. He was aware that to say the Board had been business-like in one case was not a sufficient answer to another case where they had not been; but he might say, also, that many of his friends who had had business transactions with the Board had had the same experience. He had never heard any complaint.

MR. PARNELL thought the Government should give some answer to the question of his hon. Friend the Member for County Cork (Mr. Shaw) as to whether they intended to carry out the recommendations of the Select Committee, which seemed very valuable recommendations for increasing the facilities for carrying out the "Bright Clauses" of the Land Act. This matter had acquired considerable importance lately, owing to the great agricultural distress existing at the present moment in Ireland. Those clauses authorized the Board of Works to advance two-thirds of the purchase money to the tenants of estates which came into the Landed Estates Court, but they were also clauses which prevented alienation without the consent of the Board. The effect had been to prevent a second charge being placed on the property coming after the charge of the Board of Works; and the result was that when estates came into the Court, half the tenants had made arrangements with the Board of Works for an advance of two-thirds of the purchase money. They were forbidden to make arrangements with any other lender to make an advance of the remaining part. He could not imagine any reason for that. The Board of Works, as owners of the first charge, would not be prejudiced by a second charge; and if the tenants could get banks or other people to lend them money as a second charge, the result would surely be that the Board of Works would have a better security, and, so far from their being injured, the value of their security ought to be increased by this fact. But the result of the clause was that the tenants were not able to borrow money; and, as a consequence, they had not sufficient capital to start their farms, and so forth. The difficulty might be got over very easily. The Act allowed the Board to sanction a loan if it thought fit; but, at present, the Board always opposed it. He had even known instances where landlords had been willing to let the third stand out as a second charge, and to collect the interest from the tenants; but the Board of Works refused their permission, and the consequence was that the matter had to be done in a roundabout way, and the tenants were obliged to give bills, and so on. This was all a very vicious principle; and the Chief Secretary surely might give directions to the Board of Works in future not to oppose the placing of the second charge on estates. The recommendations of the Select Committee went further than that, and wished to make it imperative on the Board of Works to do away with the alienation sections of the Land Act altogether. He merely wished that the Board of Works should get some sort of general direction from the Government that when a tenant was able to provide the money from other sources to make up the remaining one-third of the purchase money, that the lender should be allowed to have a separate charge on the property coming after the Board of Works. He could not understand what possible objection there could be to that; and it was a matter upon which they ought to have some definite answer, for, at the present time, there were a number of estates waiting to be sold and nobody ready to buy them. He was told the other day, by the manager of one of the largest banks in Dublin, that they had a number of properties in Ireland to sell, and were unable to find purchasers for them. If this went on they would have properties knocked down for a mere song—for 10 or 12 years' purchase. Surely this was a very favourable opportunity for the Government to increase the facilities for becoming proprietors of their homes. There was a great deal of money in Ireland at the present time which could find no employment; and if the Board would only allow bankers, who were willing to advance the remaining one-third, to take a second charge they would have a very large number of properties sold to tenants at prices which would be remunerative to the landlords and advantageous to the tenants. They would then be giving, for the first time, a fair trial to the "Bright Clauses." If, however, the Irish Government retained their obstructive attitude the result would be that they would have a number of properties sold, as was the case in the years of the Famine, for 10 or 12 years' purchase. They would have the owners of these properties ruined, and they would have mortgagees leasing their charges, and they would have the introduction of a class of land-jobbers who had no interest in the well-being of the people, whose simple desire was to abstract the highest rate of interest. These men even were not satisfied with 10 or 12 per cent, but would insist on getting 20 and 25. Numerous instances were known, after the Famine, of men buying land at that rate, and yet not being satisfied. In the present aspect of affairs in Ireland they certainly ought to have attention paid by Government to this important matter. If it was too late to introduce a short Act to carry out the recommendations of the Select Committee, it was not too late to put a liberal interpretation on the original "Bright Clauses," and to give such interests to the Board of Works, and to insure a liberal interpretation of those clauses.

Sir HENRY SELWIN-IBBETSON could promise that, as far as the Treasury was concerned, everything that lay in their power would be done, by instructions to the Board of Works, to soften down the provisions of the clauses with a view to avoiding, if possible, the distress and difficulties mentioned by the hon. Member for Meath. He would certainly look into the matter with the object of carrying out some alterations in the present system, so far as it could be done, without further legislation; but he was afraid, if the suggestion of the hon. Gentleman who spoke last were accepted, that legislation would be required that could not be given that Session. With regard to the clerks, the recommendations made by the Treasury had led to some delay, which he regretted; but the matter should be looked into with a view to another arrangement.

Mr. O'SHAUGHNESSY said, the Government ought to be the last to insist that land should remain in the hands of persons who had shown themselves to be unable to manage it properly, and that, therefore, doubt existed as to whether the alienation clauses ought to be retained. There was one Department under the Board of Works which had been the cause of a good deal of evil throughout the country. He alluded to the system of drainage which they were carrying out in Ireland. He was not now going into the whole case, but wished to lay before the Committee a state of things which showed that the Board had utterly failed to carry out a proper system of drainage. In the county of Limerick there was a river which flooded the adjacent lands, and since the drainage works were completed the lands had been flooded worse than ever. A tenant who held, originally, 71 acres, had 48 acres affected. To his rent, which was £128, there had been added a sum of £48 for drainage works, and, in return, he had the whole of his land flooded. In another case, out of

70 acres, 50 were flooded, and the man had to pay £65, in addition to his rent, for the damage sustained at the hands of the Board of Works. Another person who held 180 acres had to pay £129 a-year for the damage, or 75 per cent on his rental. The defence made for the Board of Works by the Secretary to the Treasury was that the Chairman of the Board erred through superabundant activity and extreme anxiety to do his duty; in short, that he had tried to do too much. He (Mr. O'Shaughnessy) believed that the Chairman had done his best, and more than it was prudent for him to attempt. But this showed the very thing they complained of, that, through the absence of any responsibility, and an excess of activity or neglect, a man might turn out a very dangerous officer. There was another fault in the management of the Board of Works which, when the whole scheme came to be considered, he trusted would receive attention. The Treasury was largely represented in Dublin by a body of persons; but when the works throughout the country were looked at, it would be seen that there was no proper supervision at all; and that, although the Department in Dublin was, so to speak, well-manned, it was not well-manned by engineers and supervisors, who ought to see that the money expended was properly laid out and the works properly executed. He regretted very much not to have heard one word said on the subject raised by the hon. Member for Galway (Mr. Mitchell Henry) with reference to proper Parliamentary control over the Board. However much the interior of the Office might be revised, it would be sure to glide back into the old system of superabundant activity, or of no activity at all, unless a representative of the Department sat in the House of Commons, who should be responsible for the details of the working of the Board. It now turned out that a great many duties of the Board were to be handed over to the Local Government Board; and there could be no greater proof of the affinity and relationship which existed between the two Boards than that of their duties being interchangeable. Surely, there could be no difficulty in appointing a person as Irish Lord of the Treasury in the House to be the representative of these two Boards, and to secure that these two great centres of administration should be conducted with due respect and due obedience to the wishes of Irish Members.

MR. SYNAN held that it was impossible that there could be any supervision of the Board of Works without representation in that House. It was absurd to tell him that the Chief Secretary could do as much by letter as he could by communication with a responsible Minister in the House of Commons. What had been said with reference to the drainage had taken him entirely by surprise. It was totally incomprehensible to him that the Board of Works, either directly or indirectly, by approving the works executed, should tax the tenants to one-third of their rents, and leave the works in the same condition as they were before. If the works were not properly executed they ought not to have charged the tenants with the interest on the drainage money, but should have looked to the Local Board, and considered the question as to whether the engineer employed had done his duty. He apprehended that the answer which the Government would get would be that the Local Board was responsible, and not the Board of Works, because the former ought not to have approved the works unless they were efficient. He thought the Government ought to send down an engineer at once to ascertain whether the works had been properly executed or not. Whether any relief would be given to the tenants he knew not; but he thought that the Treasury should do everything in its power to relieve them from an amount of debt which it was impossible for them to discharge. It was clear that the additional charge for drainage, added to the rents, which were about £2 10*s.* or £3 an acre, would raise the rent of the tenants to something over £4 an acre, a rate that meant ruin and bankruptcy. He called upon the Treasury to look to this, and to demand from the Board of Works how it was that they had neglected their duty, and how it was that they attempted to shift their responsibility to any Local Board? He held that the Treasury ought not to be satisfied with that excuse, and that they should do everything possible to relieve the tenants from the injustice to which they were subjected.

SIR HENRY SELWIN-IBBETSON said, that the Memorial from Limerick, referred to by the hon. and learned Member for Limerick (Mr. O'Shaughnessy), had only reached him on the 24th instant. Immediately it came to his notice he had sent it forward for the purposes of inquiry; but as they were now only at the 28th of the month, sufficient time had hardly elapsed for an answer to be returned.

Mr. MITCHELL HENRY did not propose to divide the Committee upon his Motion, seeing that the Chancellor of the Exchequer had promised to have the matter looked into, and that sufficient time had not been given for so large an inquiry.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(6.) £4,425, to complete the sum for the Record Office, Ireland, *agreed to.*

Class III.—Law and Justice.

(7.) £65,521, to complete the sum for Law Charges, Ireland.

Major NOLAN pointed out that a great many jurors in Ireland had to travel long distances—in some cases as much as 75 miles—to the places where their services were required, and that they neither received payment for their travelling expenses, nor compensation for the loss of their time. Amongst these persons a strong feeling existed that they ought, at least, to be paid for their expenses out of pocket, and many also thought that their time should be paid for. Complaints also were made that the system of arranging the juries was not good, and that a larger number of jurors than necessary was brought from long distances to Quarter Sessions. He had looked into the arrangements, and found, for instance, that the people of Ballinamore had to travel 80 miles by rail and then 60 miles by road up to Galway, and this continually occurred from the coupling of two Sessions together. The alternate Sessions were badly arranged in some of the counties in Ireland, and the districts from which jurors were drawn urgently required re-arrangement. This question, which affected a large class of persons in Ireland, had also an important bearing upon the proper administration of the law, and for this reason he desired to know whether the Government intended, this Session or next, to do anything to help the jurors in respect of their expenses and loss of time, and whether they proposed any re-arrangements of the jury districts, especially in connection with Quarter Sessions?

The ATTORNEY GENERAL for IRELAND (Mr. Gibson) was aware that it was extremely hard upon people to be called upon to leave their homes and business and devote their time to the public service without compensation; but until some change was made in the law, with the sanction of the whole country, it would be impossible to introduce a Bill to deal with this subject in Ireland. Moreover, the system of payment had been tried in England, and had not been found to work. The question was, undoubtedly, an important one; but it would be raised with more propriety when it became necessary to present a new Jury Bill to the House.

Mr. CALLAN complained that no more information was given in the Abstract with regard to prosecutions than was to be found in the Vote itself, and that no information was given as to the expenditure of the sum of £27,000 for that purpose in the various counties of Ireland. The Committee were, therefore, unable to discuss the Vote on its merits. He held that the Committee should know the amount expended in each county and at each Assizes, and not have the whole placed before it in a lump sum. He had now some remarks to make with regard to the salaries of the Law Officers of the Crown. It would be in the recollection of the Committee that they had given power of appeal from the Grand Jury to the Privy Council, and that last year a Bill was promoted to make a steam tramway from Kilrush to the Giant's Causeway. This year a much more important Tramway Bill came before the Judicial Committee of the Privy Council, on an appeal from the Grand Jury of the county of Wicklow. With reference to that case, he now asked the Attorney General for Ireland whether his attention had been called to those proceedings before the Privy Council on Monday, the 21st of July, and to the statement made by the Lord Chief Baron concerning the Law Officers of the Crown in Ireland; whether the Baltinglass Tramway scheme was dismissed with costs, on the ground that the proposed plan for laying rails was in contravention of the Act of Parliament; and whether it was true that the Kilrush and Giant's Causeway steam tramway was sanctioned on lines precisely similar to the Baltinglass Scheme, which the Lord Chief Baron declared would be illegal?

THE CHAIRMAN pointed out to the hon. Member for Dundalk that he was, of course, within his right in referring to anything in connection with the duties of the Law Officers of the Crown for which they were paid under the present Vote, but that, in discussing the merits of a particular tramway scheme, he would not be in Order.

MR. CALLAN was aware that he was perfectly in Order in what he said with reference to the manner in which the Law Officers of the Crown performed their duties. He was perfectly within his rights, which he insisted upon maintaining, in discussing that question under the present Vote. He should like to know from the right hon. and learned Gentleman the Attorney General for Ireland whether Lord Chief Baron Palles had not expressed himself as being very much surprised that the Law Officers of the Crown could have signed such an Order, which, in the opinion of that learned Judge, as well as of the Irish Vice Chancellor, was clearly illegal? He should also like to have some information as to who was the person responsible for the illegality?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, he would at once frankly admit that the circumstances of the case were such as the hon. Member had described them to be, and would tell the Committee, as far as he was able, how the matter stood. His attention had not been directly called to it until that evening; but he was in the habit of reading all the Irish papers, and he noticed, amongst other things, the remarks of the Lord Chief Baron to which the hon. Member referred. He at once, after reading them, wrote over to Ireland to ask for information on the subject; and he had received some information, but not all that was required, to elucidate the points which he wished to have explained. He was not, he might add, disposed to admit that the Law Officers of the Crown had done wrong until he had fuller knowledge of the details of the case than he at present possessed. He hoped to have the necessary information in the course of three or four days; and if the hon. Member would, at the end of that time, repeat his question, he would be better prepared to answer it. He might, perhaps, state, before sitting down, that the Lord Chief Baron, than whom there was no more able Judge on the Irish Bench, had not the Order before him when he made the remarks which the hon. Member had brought under the notice of the Committee; and although he (the Attorney General for Ireland) had had the Order before him, he was not exactly in a position to state whether it was absolutely identical with that of which complaint was made. But, so far as the public convenience was concerned, he was not aware that any injury whatever had been done in the matter.

MR. CALLAN said, he had referred to the matter, not with the view of offering any opposition to the Vote, but because he thought the right hon. and learned Gentleman would be able to avail himself of the opportunity, which the discussion of the Vote afforded, to give a fuller reply to his question than, under ordinary circumstances, the Rules of the House would admit of his doing. He would repeat his question on some future day, when it might be more convenient to the right hon. and learned Gentleman to answer it.

MR. O'DONNELL said, he was not satisfied with the assurances which he had received from either the Attorney General or the Chief Secretary for Ireland, with respect to the complaints to which he had drawn their attention in connection with the way in which the fishery regulations were carried out on the coast of Dungarvan. A great rivalry existed between the fishermen of the town and those who resided in the neighbouring villages, by whom the fishery regulations were neglected in leaving their nets out night and day in the manner in which they did. He was informed that the proper authority to prosecute for such a breach of the regulations was the the local Coastguard; but it so happened that the Coastguard men had their station in the immediate vicinity of the locality in which the failure to comply with the regulations had occurred, and the result was that the Dungarvan Bay fishery had been almost destroyed, owing to the wholesale neglect to obey the law. He did not wish to press severely on the Coastguard in the matter, because they were not unnaturally influenced by a feeling of kindness towards their neighbours, and looked upon the rights of the Dungarvan fishermen as being of secondary importance. But the question was a very serious one for those poor men. Some time ago, the fleet of fishing boats belonging to the town numbered 150, and something like £1,000 was earned per week. There was now, however, only a wretched fleet of 20 boats, and the fishermen were reduced to a state of the greatest destitution. Now, if the law were only fairly carried out, that condition of affairs would, he believed, steadily improve. He would not press the matter further on the attention of the Committee on the present occasion, for he was sure the Government would see the necessity of taking some steps to provide that the fishery regulations should be properly enforced.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, he would communicate with the Inspector of Fisheries in Ireland on the subject.

MAJOR NOLAN wished to call the attention of the right hon. and learned Gentleman to another point connected with the Irish jury system—he meant the inconvenience which was caused by summoning jurors to serve at considerable distances from the localities in which they reside without any necessity. In his own county very considerable inconvenience was the result of the present system. The town of Tuam was situated about 25 English miles from Galway. and the town of Ballymore was 20 miles from Tuam, and 45 miles from Galway. Now, it was scarcely reasonable, he thought, that jurors should be summoned from Ballymore to attend the Sessions, both at Tuam and Galway. Where the districts were very large some arrangement ought, in his opinion, to be made, providing that the jurors only of the district in which the Sessions were held should be summoned; and if that were done, in the case of the County of Galway, the jurors residing in Ballymoe would not have to go beyond Tuam. In Ireland, he might add, jurors were generally summoned by the relieving officer, who was not the sort of person who would be anxious to secure a good jury, and who was not placed directly in communication with those whose object it was to do so. But the whole jury system in Ireland required to be thoroughly looked into; and, meantime, matters might be materially improved if some such alteration respecting the summoning of jurors, such as that which he had just suggested, were made.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, that in 1876, when the present Secretary of State for the Colonies was Chief Secretary for Ireland, an arrangement had been made for the drawing up of a general list of jurors to be summoned to Quarter Sessions. That arrangement had, however, been found to work inconveniently, and a change had since been introduced, enabling the Chairman of Quarter Sessions or the County Court Judge to define the area from which a jury should be summoned, which, he believed, had been found more satisfactory. He would, however, look into the matter, and see whether something could not be done to remedy the inconvenience of which the hon. and gallant Gentleman complained.

MAJOR NOLAN remarked, that the Chairmen of Quarter Sessions were not always the best persons to adjust geographical details, and expressed a hope that the matter would not be lost sight of by the Government, inasmuch as a great deal of time and trouble would, he thought, be saved if some alteration, such as that which which he had indicated, was adopted.

MR. A. MOORE said, that much of the difficulty connected with the working of the present system of summoning jurors in Ireland arose from the fact that the relieving officers, who controlled the preparation of the jury lists, had no object in securing the attendance of good juries.

Vote *agreed to.*

(8.) Motion made, and Question proposed,

"That a sum, not exceeding £20,677, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for such of the Salaries and Expenses of the Queen's Bench, Common Pleas, and Exchequer Divisions of Her Majesty's High Court of Justice in Ireland as are not charged on the Consolidated Fund; including provision for certain Officers of the Supreme Court of Judicature in Ireland, and for the Trial of Election Petitions."

MR. O'DONNELL said, he thought the Vote should not be allowed to pass without a protest against the mode in which Election Petitions were now tried. Having no wish to cast undue reflections on individuals, he yet felt that he was not mistaking or exaggerating the state of public feeling in Ireland, when he said that the Irish people were profoundly distrustful of the trial of those Petitions by single Judges. It was said that the Judges in Ireland were notorious for their freedom from bias, and their action in civil and criminal trials was pointed to as a reason why they should be trusted to try Election Petitions. There was, however, he ventured to think, no force in that argument, because the political partiality which was attributed to the Irish Judges had very seldom occasion to rouse itself in civil and criminal trials, which turned usually upon questions of fact, which had rarely, if ever, anything to do with politics. To contend, therefore, that a man must show perfect impartiality in a political trial, because he did so in trials of a non-political character, was to argue quite beside the real point at issue. As a matter of fact, some Judges in Ireland who were believed to be the most incapable of controlling themselves on political trials—such as the trial of Election Petitions—were most favourably known for their admirable administration of the law in civil and criminal cases. At all events, entertaining the views on the subject which he did, he could not allow the item of £220, contained in the Vote for expenses connected with the trial of Election Petitions, to pass without comment, and without offering to it his strenuous opposition. But apart from the general question, and taking into account the fact that no Election Petitions had been tried in Ireland last year, he could not see on what ground a sum of £140 was asked for in the Vote for the reception of Judges in connection with those trials. If there were no trials, there could not, he supposed, have been any Judges to receive, and how the £140 was to be expended he could not, therefore, understand. But setting aside all microscopical criticism, he must say that he had the strongest possible objection to having Election Petitions tried by single Judges; and, if only for the purpose of impressing on the Government his conviction that if, in making any attempt to amend the law on the subject, the decision of Election Petitions were still left in the hands of a single Judge, they would provoke the most profound dissatisfaction in Ireland, he would certainly take a Division against the item of £220 which he had just mentioned. It was very easy to prove that the Irish Judges were political partizans — the proofs were abundant. There were, in Ireland, several highly respected Judges—men who, when discharging the functions of their office, outside of politics, were admirable Judges; but who, when they came to deal with burning questions—such as the law relating to the land—all at once revealed themselves straight out, sometimes in their addresses to the Grand Jury, as political partizans, undisguised and undisguiseable. How was it possible, then, that when they came to try an Election Petition they could divest themselves of their political feelings? He was arguing against the voting of public money for those trials. In Ireland, in an especial manner, appointments to the Judicial Bench were made for political reasons; although he was glad to see that, in that respect, there had of late been an improvement, which would, he hoped, be carried still further. It was still true, however, that the prizes of the Irish Bench were made the reward of political services rendered by political lawyers; and it was perfectly impossible to persuade any constituency in that country that a distinguished lawyer, who had attained to the ermine by his brilliant defence of this or that political personage, could forget all the circumstances of his life when he was called upon to preside at a trial in which the interests of a member of the political Party with which he had always been intimately associated were involved. Those were general objections to the present system of trying Election Petitions with a single Judge. But there were several objections. The Committee knew that a judgment delivered by the late Judge Keogh, in the case of the Galway Election, when he unseated the hon. and gallant Gentleman (Major Nolan) and gave the seat to his opponent, had provoked the widest dissatisfaction in Ireland. They also knew that at the very next election the hon. and gallant Gentleman, who had been rejected by the Judge, had been placed at the head of the poll, and that his opponent, whom the Judge had made a Member of that House, did not dare, on that second occasion, to show his face to the electors. In a word, the overwhelming verdict of the constituency scattered to the four winds of Heaven the judgment of the learned Judge. In his own case, at Galway, Mr. Justice Lawson had unseated him, on the ground that he had been illegally elected. What was the consequence? That his dear bosom Friend and College companion (Dr. Ward), the present Member for Galway, was elected in his place, not only because of his own high personal qualities, but as a protest against Mr. Justice Lawson's judgment; and so completely was that judgment rejected, that the other candidate, Mr. Joyce, did not venture to oppose Dr. Ward when he came forward in his (Mr. O'Donnell's) place. In Ireland, not one man in ten could be found who would say that the judgments either of the late Justice Keogh or of Justice Lawson were to be relied upon in those cases. Those Judges had acted and spoken as partizans; and had the Bill of the Government relating to Corrupt Practices at Elections been proceeded with, he should have felt it to have been his duty to bring all the circumstances connected with Mr. Justice Lawson's judgment under the notice of the House. If the Government persisted in their intention to intrust the trial of Election Petitions in Ireland to a single Judge, and thus continue to the Judges the power of quashing the votes of whole constituencies, he should certainly go carefully into that judgment, by which he was personally disqualified from seeking re-election, for reasons which nobody could understand; while, as he had said, his bosom Friend was elected, and that only three weeks after the judgment was delivered. In Ireland the Judges owed their ermine to partizanship, and they could not divest themselves, in the class of cases of which he was speaking, of their political feelings. The late Justice Keogh was an excellent Judge in that department of his office in which he acted properly as a Judge; while Mr. Justice Lawson was also an admirable Judge in the discharge of his ordinary duties. But neither Mr. Justice Lawson, nor a dozen other Judges whom he could name, could have any portion of the trust of the Irish people where the trial of Election Petitions was concerned. He would take, then, a Division on the important item to which he had called the attention of the Committee, in order that that Division might serve as an instruction and a warning to the Government—he did not wish to use the words in any offensive way—that if they proposed to continue the power of a single Judge in Ireland to over-ride the decisions of the constituencies, such a proposal would be received by the majority of the Irish Members as one which it would be their duty strongly to resist. He felt perfectly satisfied that it entirely depended on a Judge who tried an Election Petition in Ireland whether a Member who had been elected by a constituency was unseated or not; and he need scarcely say that to expose a Judge to the unnecessary odium which such a state of things implied was a result which ought to be avoided by any wise Government. In the interest of the Judges, as well as of the constituencies, it was quite impossible that so informal a power in the hands of a single Judge could long be maintained. It ought not, in his opinion, to be maintained in England or Scotland; but the objections to it applied with ten-fold force in the case of Ireland. If English and Scotch Members were willing to subject themselves to the uncontrolled dictum of a Judge, they could, of course, do so; but Irish constituencies were entirely opposed to anything of the kind. They had as fairly high an opinion of the character of their Judges as any other people; but they knew that it was idle to expect any one to be exactly supernatural, and that it was ridiculous to suppose that a political partizan could cease to be a partizan on a political trial directly appealing to partizan instincts, although he might be, in the main, a perfectly upright Judge. The cases of the county of Galway and the borough of Galway judgments were cases in point. They were judgments delivered by partizan Judges—he did not use the word in any unnecessarily offensive sense—which inflicted very severe loss on the individuals concerned, but which was indignantly scouted by the constituencies which they affected, and which resulted in injuring the authority and the character of the Judicial Bench. He hoped, therefore, the Government would take the necessary steps to remove the Irish Judges from the chances of so much odium, and would give the Committee some assurance that a system which worked so disastrously, and in which, practically, no one in Ireland had any confidence, would not be continued. He begged to move the reduction of the Vote by the sum of £220, the sum asked for to defray the expenses of the trials of Election Petitions by single Judges in Ireland.

Motion made, and Question proposed,

"That a sum, not exceeding £20,457, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for such of the Salaries and Expenses of the Queen's Bench, Common Pleas, and Exchequer Divisions of Her Majesty's High Court of Justice in Ireland as are not charged on the Consolidated Fund; including provision for certain Officers of the Supreme Court of Judicature in Ireland, and for the Trial of Election Petitions." — (*Mr. O'Donnell.*)

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, every Member of the Committee must be aware of the great amount of attention which had been given to the question raised in the remarks of the hon. Gentleman who had just sat down, during the last four or five years. More than one Committee of the House had made recommendations on the subject; and a Bill dealing with it was, at the present moment, under consideration, some portion of which, at all events, he hoped would, before long, become law. That Bill would deal with a good many of the topics which had been brought under the notice of the Committees to which he had referred, and would, perhaps, to a large extent, meet the views of many hon. Members. He wished, however, to point out, in reference to the observations of the hon. Member for Dungarvan (Mr. O'Donnell), that it was impossible that the Judges of any country should not have some kind of political complexion; and so long as Irishmen were Irishmen they would, he supposed, continue to take a somewhat active view of the leading political questions of the day. But, be that as it might, his own experience of the Judges in Ireland was that while they were exceptionally able men, as compared with the Judges of other countries, they were, at the same time, men of singular fairness of mind. There were many of them from whom he differed in politics; but if any question involving his character or property was about to be tried, he should be quite satisfied to have it tried by any one of them, quite regardless of the political opinions which he might entertain. It was impossible, he might add, that the decisions of Judges by whom Election Petitions were tried could give satisfaction to everybody. On one side there must always be, not only disappointment, but keen disappointment; and when a decision came to be delivered in the very town in which the election had taken place, and where great warmth of feeling must prevail, it was quite obvious that the interest in the proceedings of the trial must be not only keen but excited. No doubt, that was so in the case in which the hon. Member for Dungarvan himself was concerned. Having said thus much, he might be allowed further to observe that there was a Bill before the House which would, he thought, deal, in a reasonable and satisfactory way, in many respects with the trial of Election Petitions, especially in the matter of appeals. Under the Judicature Act, at present, the trial of such Petitions was committed to three Judges, who were placed on the rota, whose selection, he believed, commanded confidence, for it could not fairly be contended that there was anything like undue selection. There was to be a further provision, that the junior Judge of the Queen's Bench — that position being at present occupied by Mr. Justice Barry—should be under the necessity of going into the Common Pleas for the purpose of deciding on appeals; and he could not conceive any tribunal more satisfactory than a tribunal composed of four Judges selected in that way. He had only to say, in conclusion, that the item to which the hon. Member for Dungarvan objected was a very small one; and as there were several Petitions relating to municipal elections, and means must be had to meet any trials of Election Petitions, he hoped the Committee would not assent to the Motion for the reduction of the Vote.

MAJOR NOLAN said, there was a great difference between the practice which existed in England with regard to the trial of Election Petitions and that which prevailed in Ireland. Those Petitions were tried in England by the

Puisne Judges, and here it was the custom to appoint to Puisne Judgeship lawyers who had not taken a prominent part in politics. The English Attorney General or Solicitor General was very seldom made a Puisne Judge; but in Ireland the Puisne Judges, as well as the Chief Justices, were chosen exclusively from the leading political lawyers of the day. There was, therefore, in that respect, a broad distinction between the position of the two countries. But he objected to the present mode of trying Election Petitions altogether. A popular Assembly could not, in his opinion, properly divest itself of the right to try its own Election Petitions, and the House could, at any time, resume the power to do so with which it had parted. In Ireland there could be no doubt it was believed that the present system was not impartially carried out, and that great partiality had been displayed, especially in the cases in which he himself and the hon. Member for Dungarvan (Mr. O'Donnell) had been unseated—the one as Member for the county, and the other for the borough, of Galway. The result showed what was the real feeling of the people in Ireland, the aristocracy having gone one way, while the people struggled to go in the opposite direction. He hoped the hon. Member for Dungarvan would press his Motion to a Division, because the majority of the people of Ireland had no trust whatever in some of the Judges—he would not say in all—so far as the trial of Election Petitions was concerned.

Mr. CALLAN was sure the Committee must have heard with satisfaction the statement of the right hon. and learned Gentleman the Attorney General for Ireland, as to the junior Judge of the Court of Queen's Bench being appointed to assist in the trial of Election Petitions. There could be no objection to Mr. Justice Barry acting in that capacity, although it was generally the case that the junior Judge of the Court of Queen's Bench in Ireland was a man who had taken a very active part in politics. The right hon. and learned Gentleman, however, had also stated that the Judges in Ireland were placed on the rota in such a manner as to preclude the possibility of any undue or unfair selection being made. There had, nevertheless, been such an undue selection made. After the General Election, in 1874, there was a Petition against the return of the present Member for Drogheda (Dr. O'Leary). Now, the senior Judge on the rota was not sent down to try that Petition; but, by some sleight of hand, things were so manipulated that he went to Galway instead. He had made the same charge of unfairness a few years ago, and he now repeated it, in the hope that the right hon. and learned Gentleman the Attorney General for Ireland would either meet it with a denial or explain it. It could not, however, be met with a denial, for the facts were beyond dispute. A Petition was lodged against the return of the hon. Member for Drogheda. That Petition was not tried by the senior Judge, Mr. Justice Lawson, as it ought to have been; and it was at the time commonly rumoured in Ireland that that learned Judge had been reserved for the trial of the Galway Election Petition, with the avowed purpose of unseating the present Member for Dungarvan. The Drogheda Petition was tried by the junior Judge, Mr. Justice Barry, Baron Dowse being, he believed, the other Judge on the rota. A difficulty arose in the case, and Mr. Justice Barry reserved the point for the decision of the Court of Common Pleas; and the ultimate result of the Petition was that the Election was held to be valid. Had the senior Judge on the rota, however, been sent to Drogheda, it was felt that the present Member for the borough would have been unseated, and that the seat would have been given to the candidate by whom he was opposed. As it was, Mr. Justice Lawson went to Galway, and unseated the present Member for Dungarvan, who, it was fully believed in Ireland, would have retained his seat had the Petition against him been tried, as it ought to have been, by Mr. Justice Barry. How, under such circumstances, could such a tribunal as that by which Election Petitions were now tried in Ireland be regarded with anything but distrust? For his own part, if a Petition was lodged against his own return—should he be returned at the next General Election—and that Justice Lawson was appointed to try it, he should not defend his seat, so sure was he of what the result of the trial would be. As to the item in the Vote for the reception of Judges, he would observe, in answer to what the right hon. and learned Gentleman the

Attorney General for Ireland had said about the necessity of providing for the case of municipal elections, that there were no expenses incurred for the reception of Judges in those cases; and when he found in the Vote a sum of only £100 set down for the reception of Judges next year, he at once came to the conclusion that the Government did not intend that there should be a General Election, otherwise they would have asked for a larger amount than £100. He perceived, he might add, that the sum of £140 was asked for last year, when no Election Petition had been tried; and how, therefore, that sum could have been spent on the reception of Judges he could not understand. It seemed that £305 had been spent last year in connection with the performance of duties in the discharge of which there was no work done; while £240 were asked for this year to be expended, for all he could see, in the same way. He hoped those items now appeared in the Estimates for the last time.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) wished to say a few words in reply to the charges which had been brought very freely, in the course of the discussion, against he did not know how many Judges. [Mr. CALLAN: Only Mr. Justice Lawson.] But the charge could not very well rest on only one Judge, because a man could not be in collusion with himself alone; and if the statement of the hon. Member with regard to the trials of the Drogheda and Galway Petitions were correct, Mr. Justice Lawson must have been in collusion with Mr. Justice Barry.

MR. CALLAN said, everybody knew how these matters were decided by the Judges; and he had no hesitation in saying that Mr. Justice Lawson had reserved himself for Galway, and sent the junior Judge on the rota to Drogheda. That was a charge which he was prepared to make anywhere against Mr. Justice Lawson, as freely and fully as he now made it in that House.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, the hon. Member seemed to suppose that Mr. Justice Lawson had ordered Mr. Justice Barry about as if he were a waiter at a hotel, instead of a Judge having inordinate jurisdiction. To insinuate, with respect to two distinguished Judges, that of two ways open to them one took the honourable and another the dishonourable way, was a course of proceeding which he was sure would not find acceptance from the Committee. The hon. Member spoke of common rumour; but was the character of a Judge, he would ask, to be taken away on common rumour and general impressions in the public mind? Hon. Members opposite had, of course, a right to entertain their own opinions with regard to particular decisions given at the trials of Election Petitions, and affecting themselves or their friends; but it was neither fair nor reasonable that they should cast reflections on the honour of the Judges by whom those decisions were pronounced. A Judge could not decide both ways, but must decide in favour of one side and against the other; and there was not, he believed, a single Judge in Ireland who would not be delighted to be relieved of what was to them a most disagreeable duty in connection with Elections. But, passing from those exciting topics to the small details of the Vote, he would point out to the Committee that a portion of the money asked for was to cover the expenses of the extra work which might be thrown on the officers of the Court of Common Pleas, who had a good deal to do in connection with municipal as well as Parliamentary Elections. He did not see how the whole amount of the item to which hon. Gentlemen opposite so much objected could fairly be regarded as being at all excessive; and the expenditure appeared to him, he must say, to be calculated upon a very moderate footing.

THE O'CONOR DON thought the discussion to which the Committee had just been listening served to bear out the views of those who objected to having the duty of trying Election Petitions imposed on the Judges of the land. Whether the statements which had been made that evening were correct or not, every hon. Member must admit that it was an unseemly thing that the conduct of the Judges should be so frequently impugned in that House. He quite concurred with the right hon. and learned Member who spoke last that the Judges in Ireland would very gladly be relieved from what they regarded as a disagreeable duty; and he, for one, had always been opposed to the transference of that duty to them from the House itself. The debates which had constantly arisen on the subject since the change had been made fully bore out his views, and that of some other hon. Members, as to the inexpediency of making it; and if his hon. Friend the Member for Dungarvan went to a Division he should certainly vote with him; but, in doing so, he did not wish, in any way, to be supposed to express his distrust of any particular Judge. He simply wished, acting in accordance with the views which he had always held, to record his opinion that the duties of trying Election Petitions ought not to be thrown on the Judges of the land, and that the House of Commons, in those cases, ought to maintain its jurisdiction over its own Members.

Mr. P. MARTIN said, the duties in question had been imposed on the Judges contrary to their own wish; and he was quite aware that the transference to them of those duties had been strongly objected to by some of them, and by no one more vehemently than the present Chief Justice of the Common Pleas in Ireland. That learned Judge had pointed out the evils which would result from the transference, and the soundness of his view was illustrated by what occurred from year to year. The fact was, that the trial of Election Petitions was totally unsuited to the office of Judge, which could not be mixed up with political matters in Ireland without being more or less soiled by the contact. It might be impossible to induce the House to revert to the old practice, which, in his opinion, was much better than the present system; but he would suggest to the Government that they ought to take into account the Report of the evidence of the witnesses who were examined before the Election Commission on the subject. Lord Chief Justice Morris, and other witnesses of eminence and great experience, had clearly and emphatically stated that the trial of Election Petitions ought not to be left to a single Judge; and due attention ought, he thought, to be paid to the opinion of that learned Judge, as well as of the other witnesses. It might be said in England there were not a sufficient number of Judges to admit of more than one being spared for the trial of an Election Petition; but that was an argument which did not apply to the case of Ireland, where two Judges could be very well spared for that purpose. What had been the result of the operation of the present system in Ireland? In the case of the Galway Election, it had led to a universal feeling of indignation being roused among the Roman Catholics in that country. The judicial impartiality of another learned Judge had been frequently and vehemently assailed in the Irish Press and in that House. It could not be denied that, unfortunately, the consequence had been to lower and degrade the judicial office in the public mind. And when, in the course of their ordinary duties, political matters came for decision before these Judges, the confidence of the public in their integrity and impartiality was much impaired and weakened. The question was not whether these charges thus publicly made against the Judges were well-founded or not, but what was their inevitable effect on the public mind. He might, perchance, individually say the action of the judicial body was not to be judged from the consideration of the conduct of one man, or that many statements had been made as to the action of the Judges in which he could not agree; but the very fact that charges were so repeatedly made against them in that House ought, in his opinion, to be quite sufficient to impress on the Government the expediency of having two Judges to try Election Petitions instead of one. [An hon. Member: Three would be better than two.] He would not object to that for Ireland; but the law ought to be, he thought, the same for England and Ireland. And he thought it would be said there was not a sufficient number of Judges to discharge that duty in England. However, if the responsibility was committed to two, public confidence would to some extent be restored, and the alteration would, he believed, remove many of the evils which arose out of the present system. If two Judges had, for instance, been engaged in the trial of the celebrated Galway Petition, there would not, he felt confident, have been such an exhibition of feeling as, unhappily, took place. He knew very well, from some experience at the Bar, how, both by members of the Profession as well as by the public at large, the judgments in such cases were challenged; and it was somewhat of an anomaly, he could not help thinking, that while upon the trial of a question, involving a mere matter of, perhaps, £30 or £40, four Judges might be called upon to sit in solemn array, a question affecting the honour, and position in life of a Member of that House, the interests of a constituency, even the constitution of the House itself, should be left to the decision of a single Judge. The question was one not merely affecting the Irish Judges, many of whose decisions in those matters were far superior to those of the English Judges. But when dealing with Election matters it should be borne in mind the Judge acted not merely in the discharge of his ordinary functions but also as a juror. Not unfrequently his previous training and habit of thought rendered him unfitted to consider facts from a practical common-sense point of view, and consequently some of the Election Judges took various fanciful views, and arrived at conclusions very unsatisfactory to either the legal mind craving a settled standard of law, or the lay mind seeking a practical guide of conduct.

MR. CALLAN said, that with reference to the observation of the right hon. and learned Gentleman the Attorney General for Ireland, that no person should bring charges against a Judge upon mere rumour or general impressions, he wished to say that he had only supplemented the charge he had made by stating the general impression which ran through the public mind on the subject. What was that impression? It had been officially stated that the Judges who were selected to try Election cases were placed upon the rota by seniority. They were either placed upon the rota by seniority, or they were not. He believed that, by the Act of Parliament, the Judges were placed upon the rota by seniority. In 1874, Mr. Justice Lawson, Mr. Baron Dowse, and Mr. Justice Barry were the Election Judges. The senior Judge was Mr. Justice Lawson, and the junior Mr. Justice Barry; and had the Galway Petition been tried by Mr. Justice Barry his decision would have given universal satisfaction. If a decision of the other Judges had given equal satisfaction, there would have been no such outcry as had taken place. The outcry had arisen in consequence of the case being tried by Mr. Justice Lawson, who, he repeated, was the senior Judge. At that time, there were two Petitions pending, one arising in respect of the General Election, and the other with regard to a bye-Election, which took place immediately after. If the Petitions had been tried by the Judges according to seniority, Mr. Justice Lawson would have taken the case of the Drogheda Petition. He supposed, however, that the senior Judge had the choice of the Circuit, and that Mr. Justice Lawson selected Galway. By seniority, he ought to have gone to Drogheda; and the result of his going to Galway was the unfair decision that was given in that case. It was the general impression of the public that Mr. Justice Lawson had selected Galway for the purpose of unseating the Member petitioned against. It was unfortunate that there should be such an impression; but it was, nevertheless, the fact that it existed. He must express his opinion that Mr. Justice Lawson was guilty of gross partiality in the trial of the Galway Petition.

MR. JUSTIN M'CARTHY observed, that the practice of questioning the decisions of Judges was a very objectionable one; but it was well known to anyone who followed Irish affairs that there were some Judges in Ireland who interested themselves to a much greater extent in politics than was done by the Judges in England. There were one or two Judges who entertained very strong opinions upon political questions in Ireland. One Judge might entertain very strong political bias in favour of one party; and when they found such a Judge trying an Election Petition it was only natural that some distrust should be felt. It might be true that such a Judge might be as impartial as a man could be, and as free from bias or prejudice of any kind as it was possible for a Judge to be; but the public would never believe that that was the case, for they were unable to disassociate a Judge from his political opinions, and that was more than usually the case on the trial of Petitions in Election cases. Whether the public impression were right or wrong, it, nevertheless, existed; and to enforce a due respect and estimation for the Bench it was necessary to avoid the possibility of its occurring. In common with some other hon. Members, he very much regretted the change that had taken place in transferring from that House to the Judges the decision upon Election Petitions. The

House would have done well to retain its power to declare whether an Election was pure or not. He knew that there were very great objections to the Committees of that House, which were formerly charged with the trial of these cases. When the majority of the Committee was of one opinion there was no doubt as to the result of the case. Still, he did not think that that often occurred, for if it did public opinion would have most certainly condemned it. They knew that upon no matter was opinion in that House stronger than with regard to the conduct of Elections. He believed that they could have come to a time when a number of gentlemen could have been found to sit upon those Committees without any feeling upon the matter at all. But even if there were any objection to the Committees from any suspicion of partiality, the decision of so important a matter as the representation of a constituency should not have been left to a single Judge. Let them look, for one moment, at the case of the Galway Petition. In that case it was tried before a Judge, who was well known, at one time, to have had very strong political opinions. Yet his decision alone not merely unseated one Member, but actually seated another. Thus, it was in the hands of a single Judge to take the representation from a large majority of voters and to give it to a minority. The decision of that Judge placed in the House a Gentleman who was supported by a very small minority of the voters. He remembered its being said in one case—"That man calls himself my Member; but I am one of the majority, and I never voted for him." That was a scandal; but it was one which might occur any day under the present system, although not to so marked an extent as it had done. Perhaps it would be absurd to return to the old system; but they might prevent the decisions in cases of Elections being left to depend upon one single Judge, who might be influenced by political feeling. That could readily be remedied by putting the decision in the hands of two—if not three—Judges.

Mr. SULLIVAN said, that if there was any class of public functionaries who ought to be safe from discussions of that kind it was the Judges who sat upon the justice seat. Nothing was more injurious than to have discussions of that character raised upon the Judges who administered justice; and, therefore, he thought it peculiarly unfortunate that political trials — as Election Petitions were — should have to be tried by one Judge, and especially in a country like Ireland. There could be no doubt that some most regretable discussions concerning the partiality or impartiality of some of the Irish Judges with regard to Election Petitions had arisen, and principally, perhaps, from the great distinctions between England and Ireland. He did hope that they were going to have a better future; but, hitherto, it had been notorious that the appointments to the Bench in Ireland had been made from political lawyers; whereas in England, for a long time past, it had been equally notorious that men were appointed to the Bench because of their professional eminence and personal fitness, irrespective of Party considerations. To take the case of the last appointed Judge in England—Mr. Justice Bowen—he might observe that he never had a seat in that House at all. In Ireland Judges were appointed wholly for political reasons; and, as a rule, no man had been elevated to the Bench unless he had done Party service, either inside or outside of the House. He would remind the Government of a discussion which took place in respect of the very last appointment to the Bench in Ireland. Mr. Justice Fitzgibbon, than whom no better man could have been appointed, was no sooner raised to the Bench than the Conservative journals began to ask—Did he pay £10 to the Constitutional Club? Was he not suspected of Liberal opinions? He thought that kind of talk was a reproach to justice in Ireland. Instead of saying that the new Judge was a man eminent in his Profession—as he undoubtedly was—and that he was a man of unblemished integrity, and of the highest character, the journals only fixed upon a question of Party subscriptions to see whether he had qualified himself. Let them look at the other Judges—he would not mention names, feeling that it was only in extremities that the names of Judges should be mentioned upon the floor of that House, because they could not be heard in their own defence; he had never hesitated to express his opinion of the Judges in Ireland, where they could lay hands upon him—but he would not abuse his privileges in that House. A man who was most sure of attaining to the Bench in Ireland was the man who was most strongly a Party man; but, nevertheless, there was no other country which could produce a Judiciary of, with occasionally a few exceptions, a higher character, or of greater ability, than Ireland. There was no doubt of the integrity of the Irish Bench in issues between man and man; but the moment they began to try Party issues suggestions were raised as to Party motives, and the strong opinions that were delivered lost their force, because the impartiality of the Election Judge was doubted. The famous Galway case was naturally referred to. In that celebrated case, which had aroused the feeling, even in England, that there was a necessity for a second Judge, it was undoubted that the Judge was one of the strongest of partizans. The language of his judgment was rather suited to the political platform than the Judicial Bench. He would press upon the Government, for the sake of the Judges, and for the sake of the Judicial Bench, to take the decision of Election cases from one Judge, and to place it either in the hands of two or three Judges. He should prefer also that, if necessary, there should be an appeal to the Court. When they had a General Election in Ireland, if one Judge only tried the Election Petitions, let not the House of Commons be surprised if unfortunate suspicions were raised against Judge A, or Judge B, or Judge C. He would appeal to the Government to rescue the Judges from those suspicions—it was due to the character of the Irish Judiciary—that they should cease to have in that House those unhappy discussions with regard to the partiality of the Irish Judges.

MR. PARNELL hoped that before the next General Election the desirability would be seen of appointing more than one Judge for the trial of Election Petitions. He did not suppose that Parliament would ever go back to the old plan of trying Election Petitions itself. So far as he could see, there were many advantages in not having Election Petitions tried by Parliament, where Party considerations must come into play, but rather by the Judges of the land. But it was essentially necessary that they should adopt such a system of trial as should avoid any possibility of a charge of partizanship, or Party, or religious bias, being brought against the Judges who tried the case. In Ireland, it had, unfortunately, happened that that had not been the case. All the Petitions that had been tried in Ireland, with one exception, had shown that the Judges had not been above Party considerations. If they went back to the celebrated County Galway trial by Mr. Justice Keogh, that trial made the name of the Irish Justiciary infamous throughout the world. Even in America, where the Judges were not celebrated for their purity, that decision was considered a perfect monstrosity of judicial decisions. It was said that they wanted to be above clerical interference, and therefore it was necessary to select Judges who would properly perform their duty; but they did not carry out their object in that matter, for all their attempts in that direction had recoiled only upon themselves. It was too late to attempt to convert the Irish people by Act of Parliament, or by persecution. All attempts to convert the Irish people to the religion of England had only resulted in the fact that the Irish people were more devotedly attached to the Roman Catholic religion than any other people on the face of the earth. England had far better leave those matters to the good sense of all the parties concerned, instead of adopting a system according to their ideas, in order to meet certain difficulties that might or might not exist in Ireland. It had better leave all those questions to be settled by the good sense of the parties concerned. Interference would only lead to results that were not anticipated; and, instead of being calculated to remedy the evil supposed to exist, it would only increase it. A question had been put by the hon. Member for Dundalk (Mr. Callan) to the right hon. and learned Gentleman the Attorney General for Ireland, as to whether Mr. Justice Lawson himself chose to try the Galway Petition instead of trying the Drogheda Petition, which was first on the list? The Galway Borough Petition was one which arose from a bye-Election; but the Drogheda Borough Petition arose from the General Election. According to the statement of the Attorney General for Ireland the Judges tried those Petitions according to seniority; and the Galway Borough

Petition ought, therefore, to have been tried by Mr. Justice Barry, when the Drogheda Petition would have fallen to the lot of Mr. Justice Lawson. What happened was exactly the reverse. It was evidently seen by the authorities, who made arrangements in those matters, that the Galway Borough Petition was of such a character that there was a very great chance that if an unscrupulous Judge was sent down to try it a favourable decision might be arrived at; whereas, on the other hand, the Drogheda Election Peitition was of such a character that it could not possibly make much difference who tried it. Therefore, Mr. Justice Lawson was sent down to try the Galway Petition, and Mr. Justice Barry was sent to try the Election Petition in Drogheda. That was wrong, for they ought to have stuck to the rota; and if that had been done they would have avoided the unfortunate scandal which had occurred. The Irish Judges were not like the English Judges; the whole system had been deliberately designed, in order that it might be made use of as a powerful instrument against the march of the country. The Bar in Ireland formerly gave the Government a considerable amount of trouble; and it was, therefore, arranged, as a part of the programme, that a system of offices should be instituted of such a character that there should be one Government place for every two lawyers in Ireland. Every other man, when he went to the Bar, was taught to look to Government authority as the "end all and be all" of his career. He did not, as in England, go to the Bar to learn the law and to work his way up in his Profession, step by step, and, perhaps, eventually to attain the Bench or high office; but he went to the Bar in Ireland with the deliberate intention—particularly if a young man of inferior ability and indifferent application, with the idea of obtaining an inferior place, either as a County Court Judge or assistant barrister, or something of that kind under Government. Then if such a man got into Parliament, and, after a few years, the political Party of which he was a supporter succeeded to power, he succeeded to the Office of Irish Attorney or Solicitor General, and all his professions of patriotism vanished. The next step was that he was made a Judge, and was found trying Election Petitions, and sentencing political prisoners. This was the system against which he and his Friends in that House desired to protest, on the present as on other occasions; and in so protesting they wished to place on record their opinion that the political and social circumstances in England and Ireland were so different that the system which might work well in the former was utterly useless in the last-named country. It was out of the question to say that a satisfactory trial of an Election Petition could be got in Ireland, if it was to be tried by one Judge as in England. In fact, he was surprised that the Government should attempt to maintain the present state of things in Ireland; and he hoped that, before the General Election, the Government would remove this great scandal and reproach from the Irish Bar and Bench, and provide that Election Petitions should be tried in that country by three Judges, instead of by one as at present.

Mr. BIGGAR hoped that, whatever was done, it would never again be possible for Judge Lawson to sit as sole Judge in the hearing of any Election Petition. Within his recollection, the only Judges hearing Election Petitions in Ireland who had proved needlessly corrupt were Mr. Justice Lawson and Mr. Justice Keogh.

The CHAIRMAN pointed out that such a direct charge as the hon. Member brought against a Judge was one which could only be constitutionally brought in the form of an Address to the Crown, praying for the removal of the Judge whose conduct was impeached. The hon. Member was incurring a grave responsibility in using the terms he had just used.

Mr. BIGGAR said, he did not suggest that either of the Judges he had referred to had been actuated in the course they took by any desire to obtain money from either of the parties to the Petitions; but he did maintain that they had acted in a most frightful manner, and that Justice Keogh had distinguished himself particularly in this respect in his conduct while trying and giving judgment in the Galway Election Petition trial. That judgment was, in his opinion, utterly dishonest, for the language in which it was couched was such as no gentleman—to say nothing of the fact that he was a Judge—ought to have used. It was now known that when the Judge ended his days he was insane; and it was, therefore, possible that when he pronounced the Galway judgment he was either under the influence of insanity or strong drink. Whether this was or was not the case had never been cleared up; but it must be perfectly obvious to anyone that his judgment was an outrage on justice. During the time that Justices Keogh and Lawson were colleagues they went the same Circuit together, and the one was always perfectly ready to endorse the other's opinion, whenever questions were raised by counsel.

THE CHAIRMAN pointed out that this was not relevant to the Vote before the Committee.

MR. BIGGAR bowed to the decision; but contended that if the public had no confidence in Judges when they were trying general issues, they were not likely to have that confidence when Election Petitions were being tried by the same learned gentlemen, whose decisions might place Members in that House who, in no adequate manner, represented the views of the constituencies whom they, nominally, represented.

MR. J. LOWTHER said, he was not desirous to prolong the irrelevant debate which had sprung up; but he must protest against the personal attacks which had been made upon certain learned Judges—one of whom was now dead—who had, he believed, honestly discharged their duties. A legitimate opportunity of expressing adverse opinions as to the mode in which Election Petitions were tried would occur when the Bill relating to that question was before the House. If the Business of Parliament had gone on smoothly this particular measure might have been proceeded with in the present Session.

MR. SHAW said, he should vote for the proposal of the hon. Member for Dungarvan on principle, and not on account of the personal attacks which he and some other hon. Members had made on certain Irish Judges; because he did not think there were any Judges on the Irish Bench who would wilfully act in a corrupt manner. At the same time, he thought there was room for an improvement in the existing law in respect of the manner in which Election Petitions were tried in Ireland; and he hoped the Attorney General would, before the next General Election, endeavour to hit upon a plan by means of which a remedy could be found.

MR. O'DONNELL said, it was from no feeling of personal resentment or disappointment that, in the course of the debate, he had felt it his duty to make charges against certain Irish Judges; but he felt bound to repeat that Justice Lawson had given judgments directly contrary to the evidence before him, and, if an opportunity was given to him by the Government, he would prove the truth of this allegation. This was particularly the case in reference to the Galway Petition, when Justice Lawson said that he (Mr. O'Donnell) had held a meeting of butchers in order to terrorize over the constituency. There was no evidence before the Judge in support of this view; but there was evidence to show that the tradesmen and freemen of Galway had a right to hold meetings, and to vote, and that the butchers in question were not a mere body of roughs, as suggested by the Judge, who had taken part in a movement whose sole object it was to intimidate the meeting which had been called, unless that meeting was favourable to his (Mr. O'Donnell's) views. There were 20 points on which he could have proved that the judgment of Mr. Justice Lawson was wrong; but he was unable to do so, because the Judge imputed to him the personal stain of having directly communicated with the butchers in question, and induced them to take the part in the meeting which he alleged against them. Reference had been made by the Chief Secretary for Ireland to the Government Bill in reference to Corrupt Practices at Elections; and he ventured to say that that Bill would have the distinct effect of worstening the existing state of thing.

THE CHAIRMAN pointed out that the hon. Member was not in Order in discussing the provisions of a Bill which was before the House.

MR. O'DONNELL said, he was bound to defer to the ruling of the Chairman; but it seemed somewhat hard that he could say nothing as to a Bill which had been referred to as likely to remove the grievances complained of, and which he did not believe would have any such effect.

THE CHAIRMAN pointed out that the Chief Secretary for Ireland did not refer to the provisions of the Bill, but simply mentioned the fact of its existence.

Mr. O'DONNELL said, he would, then, be content with repeating his opinion that there was a consensus of opinion in Ireland in opposition to the present mode of trying Election Petitions in that country.

Mr. MACARTNEY said, he had for many years enjoyed the honour and pleasure of being acquainted with Mr. Justice Lawson, and he wished to express his opinion—as that learned Judge had been attacked—that there was not on the Bench in any European country a more high-minded, conscientious, and pains-taking Judge than Mr. Justice Lawson was. The statement that he had voluntarily suppressed or invented any evidence was as void of foundation as any statement made in the House. It was the duty of every Irish Member to defend a Judge who had been so frequently and so unmercifully assailed in that House as Mr. Justice Lawson had been.

Sir WILLIAM HARCOURT thought the statement of the hon. Member for Dungarvan must be taken notice of apart from his Motion. The statement in question did not embody the manner in which the character of one of the Judges of the land ought to be dealt with, either in that House or elsewhere. The hon. Member for Dungarvan had said that he would prove the charges he brought against Mr. Justice Lawson if the Government would give him an opportunity of doing so; but he would point out to the hon. Member that he could make that opportunity for himself, by putting on the Paper a Notice of his intention to move an Address to the Crown praying for the removal of the Judge from the Bench. This would be a fair and legitimate way of dealing with the matter; but to throw imputations broadcast was unfair in itself, injurious to the administration of justice, and contrary to the practice and Constitution of this country.

Mr. O'DONNELL said, he agreed with the general principle which had been laid down by the hon. and learned Gentleman who had just addressed the Committee; but he would remind the Committee that he was debarred from taking the course suggested by the line pursued by Mr. Justice Lawson, in the first instance, which shut him out of the House altogether. He should certainly take preliminary steps in the direction suggested by the hon. and learned Member for Oxford; and if he received support on that occasion he should proceed to the further step which was suggested by the hon. and learned Member.

Mr. GRAY said, he did not propose to enter into the question of the merits or demerits of any particular Judge. The Chief Secretary for Ireland had said that the proper time to discuss this question was when the Corrupt Practices Bill came before the House, and he had intimated that the Bill must be passed before the Elections took place. The late Member for Limerick (Mr. Butt) took the deepest interest in this subject, and for three Sessions to his (Mr. Gray's) knowledge, and possibly longer, he impressed on the Government the necessity of such a Bill. Every Session he was met by a promise to introduce a Bill in the following year; but every year he was put off. A Bill had been introduced this year; but it had been kept back so long that it could not now be passed into an Act, and he (Mr. Gray) feared that there was no real determination on the part of the Government to pass such a measure before the General Election.

Mr. O'CONOR said, he took very great interest in this subject; but he had not addressed the Committee in regard to it, because he thought it would be out of Order, in discussing on this Vote a Government Bill. As regarded, however, what had been said by his hon. Friend, he would remind him, even if the Government Bill passed, they would be in the same position as before in regard to this matter.

Question put.

The Committee *divided:*—Ayes 26; Noes 182: Majority 156.—(Div. List, No. 197.)

Original Question put, and *agreed to.*

(9.) Motion made, and Question proposed,

"That a sum, not exceeding £111,661, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Expense of the Superintendence of Prisons, and of the Maintenance of Prisoners in Prisons in Ireland, and of the Registration of Habitual Criminals."

MR. PARNELL said, this Vote involved many questions not yet discussed this Session, and the discussion of which had been postponed for a variety of reasons. It was considered desirable, when the Votes for the Scotch and English Prisons were before the Committee, that they should wait until they had the Report of the Commissioners appointed to inquire into the conduct of prisons. That Report had been only printed and distributed among Members that morning, and they had not had an opportunity of considering it. The question of prison flogging was postponed from the Army Discipline and Regulation Bill until they could reach those Votes, in order not to delay the progress of that Bill. As there were a number of questions with reference to these Votes which could not be dealt with at that hour of the night, he trusted the Government would agree to postpone it until to-morrow, and proceed with some other Business, when they would be able to take the second reading of several Bills. He begged to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

MR. J. LOWTHER observed, that the hon. Gentleman had recently been occupied with another matter, which, although connected with the representation of the people, had necessitated his absence from his place upon a recent occasion; and he, therefore, was apparently not aware that this Vote had been under discussion for more than an hour. [An hon. MEMBER: But at 3 o'clock in the morning.] This Vote occupied a considerable amount of discussion, and other questions, besides those mentioned by the hon. Member, were raised, especially with reference to the medical staff. At that time, after the discussion, a proposition was made that the Vote should be postponed on account of the lateness of the hour; and in order to meet that feeling it was postponed. They had now devoted another whole night to the Irish Estimates, having previously withdrawn two others in accordance with the wish of Irish Members; and he really thought it would be very unreasonable at that hour which, at this period of the Session, was a comparatively early hour. It was the last they had to pass that night; and he did hope, under all circumstances, especially as the Vote had already been largely discussed, the Government would be allowed to take it.

MR. O'CONNOR POWER begged to remind the right hon. Gentleman that the discussion to which he had alluded was principally whether the Vote should be postponed or not, and though there was some high conversation there was no general discussion of the Vote itself. The Committee had now been very hard at work all night; and it would be quite as well if they could pass on to other Votes, especially as they would probably make quite as much progress in that way as by going straight on. He merely suggested that, and was not going to press it on the Government; but he thought there was a great deal of force in what the right hon. Gentleman had said about the period of the Session. Still, they did not want to go on with their work in the dark, and no one would wish to pass Votes until they had been fairly debated.

MR. PARNELL said, of course, he was very sensible that they should yield to the Government as much as possible at that period of the Session; but there were points of the utmost importance on this Vote which must be discussed. ["Go on!"] It was all very well for hon. Members to say "Go on!" but after working in the Committee since a quarter to 4 he considered they had done a good day's work. For his part, he felt absolutely unable to do justice at that time, and under the circumstances of the case, to the very important questions raised by this Vote. Let him remind the Committee what those points were. First of all, there was the question of the rules to be adopted under the suspension of the Habeas Corpus Act. When this matter was before the House of Commons on the Prison Act the Home Secretary gave him a distinct pledge that the prison rules he would adopt for untried prisoners should be extended to prisoners arrested under any suspension of the Habeas Corpus Act. What was the real fact? The Home Secretary, by the way in which he had drawn his rules, had distinctly excluded prisoners arrested under any suspension of the Habeas Corpus Act from the benefit of the exceptional and lenient rules which he had adopted for untried prisoners. They were, therefore, left in the same position in which they always were, as regarded prisoners arrested under any suspension of the Habeas Corpus Act. If the Government should choose to suspend that Act again, a proceeding they might always resort to at a moment's notice—last time, he believed, it was done on a Sunday—they would be left without any rule for the treatment of the prisoners arrested; and it was on the last occasion, according to the testimony of a distinguished medical man in Dublin, worse than that endured by persons undergoing a sentence of penal servitude. Then, next, they had the question of prison flogging. Now, they had no flogging in their borough gaols, though it existed in the convict prisons, where it was of a most brutal and horrible character. He saw, the other day, the sister of a man named Tiernay, or O'Conner, a political prisoner, who was flogged in Spike Island for attempting to escape. He received four dozen lashes. He was put in irons. He was kept in irons for eight months, and he had solitary confinement for 21 days, on bread and water. This might happen again, for the management of Spike Island was simply infamous, and he wished to have the opportunity of exposing that management. Then there was the question of imprisonment in solitary cells. That was indulged in to a very large extent, merely at the option of the gaoler, and without the order of the Visiting Justices. There was no report made of any such punishment, or of the reasons why they were inflicted, or of the offences for which they were inflicted. There ought to be these reports; and yet they were now asked to vote this money to the Government without making any provision of that sort. It was impossible that he could do justice, at that hour of the night, to the questions which he wished to raise. If the Government were desirous of appearing to get through the Votes, he was willing that they should do so on condition that they gave him a fair opportunity on Report of raising the questions which he wished to raise with regard to this Vote. Those questions were of the utmost magnitude; and he could not allow the Session to pass without having an opportunity of bringing them properly before the House of Commons. The new prison system was admittedly experimental; and a number of subjects had to be considered in connection with it which had hitherto not been touched upon. The question of flogging was one which he had distinctly postponed until the present Vote came on for discussion, in order that the Government might carry the Army Discipline and Regulation Bill in time for it to be passed by the House of Lords; and he would be failing in his duty if he did not secure discussion of this important matter at the time when he had the power of doing so. He, therefore, trusted the Government would agree to the postponement of the Vote.

Sir HENRY SELWIN-IBBETSON agreed that the hon. Member for Meath (Mr. Parnell) should have an opportunity, on Report, of discussing the questions to which he had referred; and, therefore, if the Vote was allowed to be taken then, he should be willing that the discussion should take place to-morrow, when the Government proposed to report all the Votes which had been taken. If, however, there was not time on Report for the proposed discussion, he would take care that an opportunity should be given on another evening.

Motion, by leave, *withdrawn.*

Mr. RYLANDS desired to call the attention of the Chief Secretary for Ireland to items of increase—in salaries, £2,002; victualling, £1,865; fuel, light, and water, £1,945. These items required consideration. With respect to the victualling of prisons, unless there had been a large increase in the number of prisoners, he was quite unable to understand how this large additional sum had been incurred, especially as there had been a considerable fluctuation in the price of all kinds of food, which, in the case of the Vote for Lunatic Asylums, had resulted in a very material reduction of charge during the past year. He appealed to the right hon. Gentleman to give the Committee some explanation with regard to these items.

Mr. SULLIVAN inquired if any arrangement had been made with respect to the medical officers of prisons, mentioned a few days previously to the right hon. Gentleman?

Mr. J. LOWTHER said, that the question of the hon. and learned Member for Louth (Mr. Sullivan) raised a number of points which he had not had time to deal with since the conversation took place. The increase in the items referred to by the hon. Member for Burnley (Mr. Rylands) was, in a great measure, due to the changes which had taken place in the prison system.

MR. RYLANDS could not agree that the explanation of the right hon. Gentleman was the right one. The change of system had been recommended to the House as a means of economy; but the Committee were now informed that the change had led to an increase of expense. He had a strong impression that the taking over of the prisons by the Government was likely to lead to an excess of expenditure, not only in England, but in Ireland and Scotland.

MR. J. LOWTHER said, that as hon. Members were aware, an Inspector had to be appointed under the Act of Parliament, and the item of salaries would, in consequence, be increased. There had also been an increase in the fees connected with the Prison Board, in consequence of the new appointment. There had, he was sorry to say, been an increase of 234 prisoners; and he might observe that the sum of £18,000 under sub-head P was insufficient to defray the cost, even if no increase in the number of prisoners had taken place.

MR. RYLANDS called the attention of the right hon. Gentleman to the fact that the charges for the Board of Inspectors did not come into the item to which he had alluded. If the right hon. Gentleman would look, he would observe that the items A, B, and C were those which had reference to the Board of Inspectors, while those he alluded to were for the salaries of the officers of the gaols. The addition of some 200 prisoners would not account for the great increase of charge occurring under this head. His object, in putting these questions, was to show the necessity which existed for some supervision, in order to control this increasing expenditure. At present, he did not know whether the Secretary to the Treasury took any trouble to look into the accounts of Irish prisons, or whether he thought it sufficient to look after the English and Scotch prisons only; but he would do well to examine the Estimates; because he (Mr. Rylands) was clear that under this Vote there was a tendency to greatly increased expenditure. Again, the Estimate did not include any expenditure on account of the manufacturing department, nor for the farming and garden work; but he saw, by a note at the end, that this would be deducted from the receipts, and that anything over would be paid into the Exchequer. That was a new mode of keeping accounts, but it would, he thought, be better to have an Estimate taken of the amount required, and then to set-off what was returned, so that the Committee might have a clear view of the result. The Home Secretary being now in his place, he took the opportunity of saying that there were grounds for complaint that in the first year that the Irish prisons came under the new management a very considerable increase had occurred in several items for which there appeared to be no justification, and that he hoped the next year would show the effects of greater economy.

MR. GRAY believed he could elucidate the increase in the cost of victualling prisons. When the prisons were under the old system the Boards of Superintendence of the various districts gave away all their contracts by public contract to the lowest tender; the remodelled Prison Board, however, did nothing of the kind; and the contracts were now constantly given away upon tenders which were very much above the lowest in amount, although the persons who sent in the lowest tenders were of good position, and capable of giving the fullest security for the execution of their contracts. This would probably account for the increase in the victualling expenditure more correctly than the explanation offered by the Chief Secretary for Ireland, and would, doubtless, be accepted by the hon. Member for Burnley (Mr. Rylands) in that sense. He thought if the Treasury would devote some attention to this subject, and say that where a man could give security for the performance of his contract his tender should not be excluded, that it would be conducive to public economy and to the credit of the Administration. Amongst other items, he saw in the Vote that the Chairman received £1,200 a-year; the Vice Chairman, £1,100 a-year; and "another member" of the Board, £1,000 a-year. He wished to know who was the other member, and whether he was a relative of any of the members of the Board? With regard to the victualling of prisons in Ireland, he wished to point out that, although the charge for this item had increased, considerable discontent existed with regard to the food supplied to prisoners. It would probably be remembered that, some little time ago, he had asked a question with reference to the verdict of a Coroner's Jury in the case of Patrick Grimes, who had died in Armagh Gaol. It had been stated that the withdrawal of the milk before given to prisoners, without the substitution of a corresponding amount of nutriment, rendered the diet of the prisoners insufficient to sustain life. The jury in the case attached to their verdict an intimation to the same effect, and forwarded a Memorial on the subject to the Lord Lieutenant. The question put to the right hon. Gentleman caused a considerable amount of laughter to be elicited by his reply, to the effect that a number of prisoners were upon the jury who had, naturally enough, an objection to the kind of food allowed them. However, according to his information, the Memorial to the Lord Lieutenant was signed by 12 individuals who were householders in the town, and not prisoners; and, in any case, a certificate was signed by the prison surgeon, testifying that sufficient food was not given to the prisoners to sustain life. This was a serious matter; but it had been passed over with a jocular answer, and no steps had been taken. Under this reformed Board they had—first, an increase in the cost of victualling; and, next, a reduction in the amount of nutriment supplied to the prisoners. Then came the fact that tenders of the lowest bidders were not accepted, as under the old system. These facts spoke loudly as to the diminution of real efficiency under the new system; and he agreed with the hon. Member for Burnley in saying that the sacrifice made by the local bodies throughout the country to relieve the rates would have no such effect, and was only a further step in the direction of centralization.

Mr. J. LOWTHER said, there had, undoubtedly, been an increase generally in the expenditure, in consequence of the debits for the salaries of warders, governors, and so forth, rendered necessary by the new system, while the increase in the number of prisoners had also increased the charge for victualling.

Mr. GRAY asked, whether the Chief Secretary for Ireland would give some assurance that in future contracts would be given to respectable persons upon sufficient security? Because his contention was, that the increased cost of victualling was due to the fact that, under the Prisons Act, a system had been initiated in Ireland of not giving contracts upon the lowest tenders. The feeling which existed in Ireland was that a political tinge was given to all these matters. His view was that, in affairs of public finance, a low price from respectable people, and upon good security, should be accepted. He did not mean to say that the lowest tender should be accepted in all cases; but that there should be good reason for its being refused. The right hon. Gentleman, he thought, should give an assurance that, as a general rule, the lowest tender should be accepted, and that intimation would, no doubt, be respected by the Board.

Mr. J. LOWTHER could not accept the general principle that the lowest tender should be accepted; but promised that inquiries should be made into the subject. The third member of the Board referred to in the Estimates was Mr. O'Brien.

Mr. LOWTHIAN BELL remarked, that the more the Vote was explained the less satisfactory it appeared. He should have imagined that the greater the amount spent in alterations the greater ought to be the economy. He was, therefore, quite unable to understand the great increase of nearly 30 per cent in the charge for fuel, light, and water.

Mr. J. LOWTHER said, that although, in the first place, there had been a considerable outlay, as must naturally be expected during a period of transition, the alterations, it was to be hoped, would eventually lead to economy and saving of expenditure. The item required for alterations, repairs, and buildings, was for works that would be executed during the present year.

Mr. RYLANDS said, the right hon. Gentleman the Chief Secretary for Ireland had fairly enough admitted that the taking over of the prisons by Government had resulted in increased expenditure. But what had the Government said on a former occasion? Was not the House told that there would be great economy effected by the prisons being taken out of the hands of the local authorities? The Secretary to the Treasury knew very well that the Government had said the change would be an economical one; but he (Mr. Rylands) ventured to say that there had since been an increase of charge in every item in which an increase was possible. He could only say that the Committee had a right to complain of this expenditure; and that if it went on next year at the same rate the right hon. Gentleman would find that hon. Members were prepared to move the reduction of the Vote. It was to be hoped that pressure would be brought to bear upon the officials in Ireland who had the control of this expenditure, in order to insure more economy in this Department.

MR. BIGGAR said, that the grievance of the prison chaplains was that they got only £100 a-year salary, no matter what might be the number of prisoners. If the right hon. Gentleman would turn to page 216 of the Estimates, he would find that the pay for a chaplain of the same class in England was from £100 to £200 per annum. In addition to that salary, a prison chaplain in England was granted an allowance for a residence. It was very clear, therefore, that the pay of an Irish prison chaplain was very much less than that of a gentleman in the same position in England. He would ask, was it right or proper that a prison chaplain in Ireland should not be paid at the same rate as prison chaplains in England? The gentleman to whom allusion had been made complained that the Protestant chaplain got £20 a-year more than he did, although there were fewer Protestant than Roman Catholic prisoners. He was disposed to rest the case for the increase in the salary upon two points—first, that it was an improper salary, as compared with other chaplains in Ireland; and, secondly, that it was less than was paid to English chaplains.

MR. J. LOWTHER remarked, that there was no distinction in respect of pay between chaplains of various religious denominations; they were paid on exactly the same scale, and without any reference to their religion. With respect to the adoption of the same scale of pay for prison chaplains in Ireland as for the same class in England, it was a branch of a larger subject, and he could not then enter into it.

MR. MELDON wished to draw attention to the case of a warder, named Kearney, formerly employed in the Richmond Penitentiary. He served for nearly 10 years in that prison; but at the commencement of the 10th year of his service he was afflicted with disease, and at the end of the 10th year was dismissed from his employment by the Board of Superintendence, on the ground that he could not live more than a few months. He was given a certificate of having completed 10 years' service, and that he had, during that period, always conducted himself with the greatest propriety; he had obtained rewards on different occasions from the Metropolitan Police, and had been complimented upon his conduct. The governor of the gaol where he was employed granted him a certificate of having served 10 years. But the Inspector General of Prisons alleged that the man had not been in the employment of the Richmond Penitentiary for 10 years. In point of fact, he wanted some five days to complete his 10 years' service. He was kept on some time, in order to complete the service; but the Inspector General said that the certificate was inaccurate, and that he was not entitled to obtain his pension for 10 years' service. He, therefore, refused absolutely to give the man his pension calculated upon 10 years' service. Some doubts were raised when the matter came before the Judge for adjudication; and as the man was not then in a fit state to enable him to appear the matter was decided against him. It was believed by many that that adjudication was erroneous. The Inspector General contended that the man was not entitled to any pension, but only to a small gratuity. Contrary to expectation the man got better, and was now tolerably well, and likely to live some few years. His case had been brought under his (Mr. Meldon's) notice, and he had suggested a Memorial to the Lord Lieutenant; for, so far as he could see, the Inspector General had acted in an utterly illegal manner. The man had received a certificate from the governor of the gaol in which he had served that he had completed his 10 years' service, and he only left the prison a few days before the end of the year owing to the state of his health, and it was also owing to the state of his health that he could not bring his case before the

Judge. If those facts were established, he trusted that the right hon. Gentleman the Chief Secretary would grant the man the pension of which he had been deprived in the way he had described.

Mr. J. LOWTHER promised to inquire into the case. If, as the hon. and learned Gentleman said, the man was only five days short of the 10 years' service, he was inclined to endorse the opinion which the hon. and learned Gentleman had expressed. He would most certainly look into the case.

Mr. P. MARTIN said, that before they passed from that Vote he wished to call the attention of the Committee to the case of the prison surgeons. He understood the right hon. Gentleman the Chief Secretary to say that prison surgeons were not to have their salaries reduced if they refused to compound medicines. But it had been stated that notwithstanding the Prisons Board had issued circulars, insisting that surgeons, who were appointed before the Act came into operation, should undertake the office of compounding medicines, or otherwise they should forfeit a portion of their salary. He thought that system was a bad one which forced a surgeon to compound medicines at all. He would not, however, go into the matter, because it had been fully discussed, and the right hon. Gentleman the Chief Secretary had promised to take the matter into his consideration. He wished to remind the Chief Secretary that under the new Prisons Act a very considerable increase of duty had been thrown upon surgeons; they had now eight or nine new returns to make, and a large amount of their time was occupied; they had to make 52 weekly inspections, and four quarterly inspections during a year; and to discharge their duties properly they were obliged to occupy many hours of their time. It was an unreasonable thing to ask any prison surgeon either to compound medicines or to forfeit a portion of his salary. But it would be a grievous hardship and injustice to extend that rule to surgeons appointed before the Act. The general rule ought, on the contrary, to prevail, and all surgeons to receive extra pay for the new duties imposed on them under the provisions of the recent Act.

Mr. MELDON remarked, that it would not give satisfaction if the prisons surgeons received the same salary at present as they had before the Act came into operation. The threat held out to them was that if they did not compound medicines they would be left in receipt of their present salaries. The threat was held out by the Prisons Board, in order to make surgeons comply with their requirements. He did not think it was right to make a surgeon do 10 times the work, and yet receive the same pay. He begged, again, to say that, in his opinion, the Chief Secretary would not meet the merits of the case, if he left the salaries of the prison surgeons at the same amount as at present.

Mr. J. LOWTHER remarked, that if the hon. and learned Member had been in the House when the subject was under discussion on the previous occasion, he would have heard his statement that, in consequence of representations made to him by hon. Members and others, and also in consequence of the discussions which had taken place, he had put himself in communication with the Prisons Board, and was investigating the matter with a view to a satisfactory settlement.

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow ;*

Committee to sit again *To-morrow.*

EAST INDIA LOAN (CONSOLIDATED FUND) BILL—[Bill 201.]

(*Mr. Raikes, Mr. Edward Stanhope, Mr. Chancellor of the Exchequer.*)

COMMITTEE.

Order for Committee read.

Mr. FAWCETT said, that after the Division which took place on Friday he would venture to make a somewhat unusual appeal to the Government—namely, whether they could not make some other arrangement than they had done in the Bill? He had been looking into the provisions contained in the Bill, and more especially with reference to the respective amounts which India and England were to be called upon to contribute to the expenses of that war, and he did not think so large a proportion should be thrown upon India. He found that, out of 137 Members who voted for the second reading of the Bill no less than 29 were Members of the Government. Taking those from the majority, the result would be that the Government was in a minority of 17, in the opinion of independent Members. As there had been, practically, no attempt to place an Amendment with regard to the Bill on the Paper, he hoped that the Government would not proceed that night, but would, before taking the Bill, be able to make an announcement which would, to a certain extent, meet the views which had thus been so distinctly expressed.

MR. RYLANDS remarked, that he had voted against the second reading of the Bill; but he did not vote in favour of the Amendment of his hon. Friend the Member for Hackney. Many hon. Members who voted against the second reading of the Bill did so on various grounds which had relation to the manner in which the Government proposed to deal with the matter. They voted against the Government because they believed that the mode in which the Government was dealing with the question would form an objectionable precedent, and, therefore, they would rather that the Bill did not pass. He did not, however, take the same views with regard to the Bill as those which had been expressed by his hon. Friend. After the Division, the Government was perfectly justified in proceeding with the Bill notwithstanding the late period of the Session.

MAJOR NOLAN said, that he abstained from voting upon the second reading of that Bill; but he thought that if money clauses were to be put in the Bill they ought to vote against it. He did not think that they had anything to do with the Afghan War; and, for his own part—and he believed many hon. Members concurred with him—he did not see why a place, for instance, like the West of Ireland, should be made to pay for wars for the benefit of India. He should certainly vote for putting the whole of the expenses of the war upon India.

THE CHANCELLOR OF THE EXCHEQUER was disposed to agree with the view taken by the hon. Member for Burnley (Mr. Rylands), that after the Division which took place the other day, when a majority was in favour of proceeding with the Bill, that it ought to be proceeded with. He did not think that the whole of those hon. Members who voted in the minority took the same view as the hon. Member for Hackney, although a proportion might have done so. The question was one upon which he did not think that the Government should change its mind. The proposal made by the Indian Government had been accepted by the English Government early in the Session, and arrangements were made for carrying it into effect. Various objections were brought forward to the proposal, and they had a discussion the other day upon the subject. Although the majority in favour of the Government was not a very large one, yet the House did decide to go on with the Bill, and the Government could not undertake to propose any alterations in it. If they did as the hon. Member for Hackney desired, he did not think that there would be any chance of passing the Bill. In his opinion, they must go on with the Bill in its present shape.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Temporary advance of £2,000,000 out of Consolidated Fund to Government of India).

MR. CHILDERS wished to make a suggestion to the Government and the Committee upon this clause. The proposal was one which the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) strongly advocated the other evening—namely, to make loans with interest on the ordinary conditions of loans, and that the interest should be re-paid by the Government of India to the Consolidated Fund. That would not disturb the loan account, for the amount would be borrowed on the one side and lent upon the other. The matter would then appear in the Consolidated Fund charges, and it would be effected in accordance with the ordinary rule. Very few words would introduce that provision into the Bill.

THE CHANCELLOR OF THE EXCHEQUER did not think that there was any reason for adopting the proposal, and that the transaction would be quite apparent. They proposed to keep the monies borrowed for that purpose outside the credit, and to make it appear that the amount received from India was the amount in payment of the loan and interest. He did not see the advantage of making it in three re-payments.

MR. CHILDERS thought that the debt from India should be charged upon the Consolidated Fund every year, and he would suggest an Amendment in the Bill accordingly.

MR. COURTNEY remarked, that no time was mentioned in the Bill at which the re-payments were to begin. He understood that the first instalment was to be made in the year after this; it would, therefore, be necessary to provide for seven annual instalments, and he would suggest that this should be inserted in the Bill.

THE CHANCELLOR OF THE EXCHEQUER said, it would be better to leave the clause as it stood. The intention was that seven annual instalments should be made, beginning in 1881. He did not think it would be desirable to tie up the hands of the Government in this matter.

MR. CHILDERS moved to add the words, "but the interest so received shall be re-paid to the Government of India."

Amendment *agreed to.*

MR. FAWCETT understood the Bill to contain nothing which would prevent the money being re-paid in five or six annual instalments. He would, therefore, suggest to the Chancellor of the Exchequer, who had said the intention was that it should be paid off in seven, that some words should be introduced to make that intention perfectly clear.

THE CHANCELLOR OF THE EXCHEQUER said, that no doubt the intention was to have re-payment by seven annual instalments, beginning next financial year; but he saw no reason for tying up the hands of the Indian Government, who might, perhaps, agree to make the re-payment within a shorter period.

MR. COURTNEY pointed out that, according to the strict interpretation of the clause, re-payment would be made in eight annual instalments.

MR. CHILDERS said that, undoubtedly, strictly speaking, there would be eight instalments; and this might give rise to difficulty, seeing that the clause provided for equal annual instalments.

MR. FAWCETT said, it would not be desirable to give an opportunity to the Government of India to defer re-payment; such a plan would introduce confusion into the accounts. He would suggest that the Chancellor of the Exchequer should re-consider the question before Report.

MR. E. STANHOPE thought great inconvenience might result from not allowing the Indian Government to arrange the most convenient time for re-payment. At present, certain annual instalments were provided for, and that arrangement would be carried out, unless something were to arise to make it desirable to adopt another course. He presumed there would be no objection to earlier re-payment than in the period mentioned in the clause.

MR. RYLANDS said, under the system which seemed to be favoured by the Government, it might possibly happen that in three, four, or five years, the Indian Government might drop the whole thing; whereas, if they began to pay year by year, the instalments would be regularly kept up.

THE CHANCELLOR OF THE EXCHEQUER would confer with his noble Friend the Secretary of State for India upon the matter.

Clause, as amended, *agreed to.*

Clause 3 (Issue of advances and application of sums re-paid).

MR. CHILDERS moved the insertion, in page 1, line 18, of the words, "and all interest re-paid to the Government of England by the Government of India."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Wednesday.*

LOCAL COURTS OF BANKRUPTCY (IRELAND) [SALARIES, &c.]

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of salaries and pensions of officers, and of compensation to them for loss of emoluments; also in the event of the Honourable Stearn Ball Miller becoming the remaining Judge of the Court of Bankruptcy, of the payment to him of additional salary in consideration of additional duties which may be imposed upon him under the provisions of any Act of the present Session for the establishment of Local Courts of Bankruptcy in Ireland."

MR. MELDON called attention to the circumstance that, under the proposed Bill, the interests of the two messengers of the Bankruptcy Court had been entirely neglected by the Government. Not only was the position of these officers one of great importance and responsibility—their duties being to travel to all parts of the country, and to take possession of the property of bankrupts—but they were men of education, refinement, and superior social position. Their salaries of £250 a-year were increased by fees for travelling, over and above their actual expenses. Now, it was proposed to do away with these latter emoluments; and there was, seemingly, no provision whatever for recompensing the officers in question. He could not understand why these gentlemen should be left out in the cold, unless it was that, from their title of "messengers," it was wrongly inferred that they were merely subordinate officers. Nor did he approve of passing the Bill into law in its present shape. There was, certainly, no reason why these gentlemen should be deprived of emoluments amounting to 15*s.* a-day over and above their salaries.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, this question would be more properly raised in Committee. The clauses of the Bill had been very carefully drawn.

Resolution *agreed to;* to be reported *To-morrow.*

NATIONAL SCHOOL TEACHERS (IRELAND) [REPAYMENT OF ADVANCES.]

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That it is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, of any deficiency in the Pension Fund which may arise in the repayment to the Commissioners for the Reduction of the National Debt of any Advances made by them for the purposes of any Act of the present Session for improving the position of the Teachers of National Schools in Ireland."

MR. CHILDERS said, a question of considerable interest arose in connection with this subject; and although it was too late to enter upon its discussion he should only be doing right to call the attention of the Secretary to the Treasury thereto. It was proposed to charge this deficiency upon the Consolidated Fund. The Bill supposed that there should be formed a compensation fund, out of certain monies coming from the Irish Church Fund, to the extent of £13,000, and that certain contributions should also come from the salaries of the National School teachers, and upon the fund so created should be charged pensions to the school teachers, according to a scale set out in the Act. The Resolution was necessary to enable any excess of calls upon the pension fund to be defrayed, from time to time, out of the public funds. But he wanted to point out, assuming that the proposal was sound—and upon that point he did not think it right to express any opinion on that occasion—that it was, in his view, essential that the actual expenditure for these pensions should in form be charged in the Votes of Parliament. It would be altogether abnormal and incorrect that gentlemen who had been school teachers should receive pensions except out of the same fund in form from which their salaries came. The Estimates should contain the whole charge for Irish National Schools—salaries, contingencies, and pensions. The same course ought to be followed in this case as was followed in the Greenwich Hospital Act, relating to seamen of the Navy—that policy being perfectly sound and exactly analogous to the present proposal. It was on that occasion arranged that the pensions should, in substance, be charged upon the Seamen's Fund; but in form they were charged upon the Votes of Parliament, re-payment being made out of the fund to meet the Votes. He, therefore, thought that the Resolution should be "that the deficiency should be charged on the Votes of Parliament."

SIR HENRY SELWIN-IBBETSON would rather postpone the Resolution to another day, in order to consult with the Chancellor of the Exchequer, who had had the question under his consideration. He quite saw the force of the remarks of the right hon. Gentleman.

MR. COURTNEY hoped, if any deficiency occurred in the pension fund, that when the question came to be discussed the House would be furnished with more exact information upon subjects concerning which they were now completely in the dark.

Committee report Progress; to sit again *To-morrow*.

SHIPPING CASUALTIES INVESTIGATIONS (RE-HEARING) BILL.

(*Viscount Sandon, Mr. J. G. Talbot.*)

[BILL 262.] SECOND READING.

Order for Second Reading read.

VISCOUNT SANDON, in moving that the Bill be now read a second time, said, that shipping casualties were now tried by a considerable variety of tribunals; some cases were tried by the stipendiary magistrates, and some by the Wreck Commissioners. The objection which existed to the jurisdiction at present was that there was no power to obtain a re-hearing, and the only thing that could be done was to refer the matter to the Board of Trade. He had known many cases to be referred where fresh evidence had come out, or other reasons had made it apparent that there had been a miscarriage of justice. As he had stated, the only mode at present to meet those cases was by the authority of the Board of Trade; but he did not think it right that the decision of a Court should be set aside by the Board of Trade. The decisions in these cases were of the greatest importance to the masters of the vessels concerned, for the suspension of their certificates meant the ruin of their prospects in life. There was a very strong feeling that there ought to be some alteration; and he would, therefore, ask the House to allow him to take the second reading of the Bill, the object of which was to provide that, in cases of miscarriage of justice, there should be power to order a re-hearing. He believed that the provisions of the Bill would remedy the grievance to which he had referred. The 2nd clause of the Bill took the appointments of the assessors from the Judge, and placed them in the hands of the authorities in London. That would remedy a grievance that had long been felt in the Merchant Service.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Viscount Sandon.*)

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday.*

Mr. Courtney

MOTION.

BOUNDARY COMMISSION (ENGLAND AND WALES) BILL.

On Motion of Lord EDMOND FITZMAURICE, Bill to appoint a Commission to re-arrange the boundaries of the districts under the administration of local authorities in England and Wales, *ordered* to be brought in by Lord EDMOND FITZMAURICE, Mr. PELL, Mr. CLARE READ, and Mr. BACKHOUSE.

Bill *presented*, and read the first time. [Bill 263.]

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Tuesday, 29th July, 1879.

MINUTES.]—PUBLIC BILLS—*First Reading*—Knightsbridge and other Crown Lands* (166).

Report—New Forest Act (1877) Amendment* (149); Bills of Sale (Ireland)* (155).

Third Reading—Conveyancing and Land Transfer (Scotland) Act (1874) Amendment* (141), and *passed.*

CANAL BOATS ACT, 1878.

OBSERVATIONS. QUESTION.

THE ARCHBISHOP OF CANTERBURY said, that he rose to ask a Question on a subject of some interest. It had been ascertained that no fewer than 100,000 persons were living in canal boats, and in 1877 an Act was passed with the view of improving the sanitary and educational position of these people. It was now said that, whereas a great deal had been done under that Act to improve the sanitary arrangements of the boats, the educational part of the Act of 1877 had not yet been carried into effect. There was, of course, a great difficulty in regard to the educational portion of the subject. The Act provided that the children on the boats should be considered as belonging to the local board district at which the boat was registered; but it was no easy matter to catch those children, because, if you tried to find them at one place, you would discover that they had moved off somewhere else. It was, therefore, to be feared that very little progress had been made in their education. It would be satisfactory to learn that vigorous efforts were being made in respect both of the sanitary arrangements of the boats and the education of the children, who were numbered by thousands. He, therefore, begged to ask the Lord President of the Council, Whether there is any objection to laying on the Table of the House a Report of the proceedings which have been taken since 1877 under the provisions of the Act 40 and 41 Vict. cap. 60, for the registration of canal boats used as dwellings and the education of the children dwelling therein?

THE DUKE OF RICHMOND AND GORDON admitted that the subject was one of great importance. The annual Report of the Local Government Board for last year had been presented, and would shortly be in the hands of their Lordships, and would contain an account of the proceedings taken under the Act relating to canal boats. It must be remembered that that Act was passed in 1877, but only came into operation last year. Prior to that date the Local Government Board had issued regulations regarding the registration of the boats in respect of their number and of the number of persons whom they were to accommodate, and also defining the authorities who were to have charge of the work of registration and the districts in which the boats were to be registered. The number of districts was 99. Boats had already been registered in 62 out of these 99 districts. The total number of boats registered was 4,964, and that of the persons for whom there was accommodation 22,206. Therefore, as regarded registration, very considerable progress had been made by the local authorities in giving effect to the Act. Of course, when such a large number of persons were concerned, and with interests of such considerable magnitude, it was impossible that the provisions of an Act which only came into operation last year could be as yet carried out. With regard to the education of the children, the Act provided that the children should be registered where the boats were registered, but that if the parents could show to the school authorities that the children were receiving sufficient instruction in other places it should be taken that the Act was being complied with. The Local Government Board had not yet received Reports as to the effect of the Act in respect of the education of the children; but the local authorities must have been much occupied up to the present time with the necessary and preliminary step of registration. When that object was accomplished he hoped that, before the end of the present year, the Local Government Board would obtain from the local authorities statistics as to the results of the Act in the matter of education. As soon as possible, after those Reports were obtained, they would be laid on the Table; but it would be impossible to produce any detailed information on the point at the present moment, though the local authorities had shown every disposition to carry out the Act of Parliament by what they had done in the way of registration. He now begged to lay on the Table the Returns received by the Local Government Board with regard to the registration of the boats and the numbers to be accommodated on board. (*Parl. Paper* No. 167.)

THE NAVAL AND MILITARY FORCES —CORPORAL PUNISHMENTS.

ADDRESS FOR A RETURN.

THE DUKE OF BUCCLEUCH (for the Marquess of LOTHIAN) moved—

> "That an humble Address be presented to Her Majesty for Return of the number of persons in Her Majesty's Naval and Military forces who have been punished by flogging during the five years ending the 31st of December, 1878; the Return to state the number of lashes in each case and the crime for which the punishment was inflicted."

His noble Friend believed that very erroneous impressions existed in the public mind on the subject of flogging in the Army and Navy, and that the production of such a Return as he now moved for would show that flogging was only seldom resorted to.

VISCOUNT BURY said, with regard to the Military Forces there was no objection to the Return. Of course, he could not speak for the Naval Forces; but he did not think there would be any objection to it in their case either. The Return would be a satisfactory one, because, as his noble Friend had surmised, it would show that flogging was very rarely resorted to — never, except on active service.

Motion amended, by substituting "ten" years for "five;" Motion, as amended, *agreed to.*

House adjourned at half past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 29*th July*, 1879.

MINUTES.]—New Member Sworn—James Lysaght Finnigan, esquire, *for* Ennis Borough.

Select Committee—*Report*—Sugar Industries [No. 321].

Supply—*considered in Committee*—£2,500,000, Exchequer Bonds; Civil Service Estimates, Class V.—Colonial, Consular, and other Foreign Services; Class VI.—Superannuation and Retired Allowances, and Gratuities for Charitable and other Objects; Class VII.—Miscellaneous, Special, and Temporary Services; Revenue Departments; Civil Services, Class IV.—Education, Science, and Art.

Public Bills—*Resolutions in Committee*—National School Teachers (Ireland) [Repayment of Advances] *; University Education (Ireland) (No. 2) [Fellowships, &c. Pensions, &c.] *.

Resolution in Committee—Ordered—First Reading—Copyright (No. 2) [265].

Ordered — First Reading — Irish Church Act (1869) Amendment [269]; Public Offices (Fees) * [266]; Lough Erne and River (Continuance)* [267]; Metropolitan Board of Works (Money) * [268].

Second Reading — Committee—Report—Banking and Joint Stock Companies [126-264].

Select Committee—Special Report—Medical Act (1858) Amendment (No. 3) [No. 320].

Committee—Report—Municipal Elections (Ireland) [256].

Report—Medical Act (1858) Amendment (No. 3)* [121]; Medical Act (1858) Amendment * [2]; Medical Appointments (Qualification) * [62]; Medical Act (1858) Amendment (No. 2) * [86].

Third Reading — Commissioners of Woods (Thames Piers) * [249], and *passed*.

QUESTIONS.

SOUTH AFRICA—THE ZULU WAR—INCIDENCE OF EXPENSES.

QUESTION.

Mr. FAWCETT asked Mr. Chancellor of the Exchequer, If he can inform the House in what proportion the cost of the Zulu War will be borne by the Exchequers of the United Kingdom and the Cape Colonies respectively; and, whether any estimate has been formed of the entire cost of the war up to the present time?

The CHANCELLOR of the EXCHEQUER: Sir, I have given Notice that on Thursday I propose, as the First Order of the Day, to move a Vote of Credit with reference to this War, and I shall then take an opportunity of making such a statement as I am enabled to make with regard to it.

NAVY—THE ROYAL MARINES—SERGEANTS.—QUESTION.

Mr. KNATCHBULL-HUGESSEN asked the First Lord of the Admiralty, Whether, after consulting with his colleagues as promised, he has been able to make any, and, if so, what improvement in the pensions and pay of the sergeant majors, staff and other sergeants of the Royal Marines, so as to place them upon an equality with those who hold similar rank in the Army; whether he will take into consideration the propriety of extending to the Royal Marines the advantages of the Warrant rank recently given to the Army; and, inasmuch as sergeants of the Royal Marines are called upon to provide drill instruction for Militia Regiments, whether he will take steps to throw open to them the appointment of Militia quartermaster?

Mr. W. H. SMITH: Sir, the question of assimilating the pensions of the non-commissioned officers of Marines to those of the Army is still under the consideration of Her Majesty's Government; but I am unable to say whether it will be possible to communicate to the House before the end of the Session the result arrived at. With regard to pay, and to the question of placing the Marines on an equality with the Army, I can only say that the two Services differ on very many points in regard to which the advantages are by no means wholly with the Army; that it is not intended to apply to the Marines the same rank and pay that may, from time to time, be given to the Army, as it is not possible to place them on precisely similar conditions of service. The latter part of the right hon. Gentleman's Question is a matter for the War Department.

UNIVERSITY EDUCATION (IRELAND) (No. 2) BILL—10 GEO. IV. CAP. 7.

QUESTION.

Mr. P. J. SMYTH asked Mr. Attorney General for Ireland, If Section 16 of 10 George 4, c. 7, has been repealed; if not, to what extent, if any, the working of the University Education Bill might be affected by it; and, if, having regard to said Bill, it is his intention to introduce a Bill for the repeal of the Penal Clauses of the Catholic Emancipation Act?

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON): Sir, the section of the Catholic Emancipation Act referred to has not been absolutely or entirely repealed; but it has been largely qualified by subsequent legislation. Thus it has been expressly repealed as to the Universities of Oxford, Cambridge, and Durham by 34 & 35 *Vict.*, c. 25, s. 8, and is virtually repealed as to the University of Dublin (except as to the Divinity School) by 36 *Vict.*, c. 21—known as Fawcett's Act. In my opinion, this section will not interfere with the working of the University proposed to be created by Charter under the provisions of the University Education Bill.

MERCHANT SHIPPING ACT—PASSENGER STEAMERS—QUESTION.

SIR WILLIAM FRASER asked the President of the Board of Trade, Whether his attention has been called to a relation in the "Times" of July 24th of an accident resulting in the loss of life of a stoker named Weeks, of the passenger steamer "Albert Edward," plying between Folkestone and Boulogne, in the attempt to save a suicide; whether the means of rescue by boats are, in his opinion, adequate as regards the number of passengers licensed to be conveyed in the steamers crossing the Channel; and, whether he is satisfied that the condition of and means of lowering the boats in case of collision or other accident are such as they should be?

MR. J. G. TALBOT: Sir, our attention has been drawn to the subject of the hon. Baronet's Question. An inquiry has been ordered by the Board of Trade into the circumstances of the melancholy loss of life on the occasion to which he refers, and until a Report has been received of that inquiry I should not like to pronounce an opinion upon the condition of the boats in the Channel steamers. With regard to the number of boats carried in each steamer, I think I answered a Question earlier in the Session, and I can only repeat what I then said—namely, that the Merchant Shipping Acts do not compel passenger ships to carry boats and rafts sufficient to accommodate the whole of their crews and passengers; that such a number of boats would seriously interfere with the management of the ship and even if they could be provided for on board ship it would be almost impossible to lower them in case of emergency. I may add that, as regards boats, their number and contents are settled by Statute according to the tonnage of the vessel.

VACCINATION PROSECUTIONS—DEWSBURY UNION.—QUESTION.

MR. SERJEANT SIMON asked the President of the Local Government Board, Whether he is aware of the large number of persons, consisting of batches of from forty to seventy at a time, against whom, in some cases previous convictions have been recorded, proceedings have lately been taken in the Dewsbury Union for not having had their children vaccinated; whether such proceedings are not contrary to the spirit of the instructions of the Local Government Board in the Letter of the 17th September 1875 to the Guardians of the Evesham Union, and in defiance also of a Resolution in the Minute Book of the Dewsbury Guardians; and, whether he will consider if the system of paying the vaccination officers by fees ought not to be put an end to, as affording undue encouragement to legal proceedings?

MR. SCLATER-BOOTH: Sir, I am aware that proceedings have been taken lately against a large number of persons in the Dewsbury Union for neglecting to cause their children to be vaccinated, and I fear they may have been encouraged in that course by those who are intrusted with the administration of the law. Proceedings are taken under three heads—1st, for a penalty for neglect to have the child vaccinated; 2nd, there may be a summons to show cause why an order should not be made for the vaccination; and, 3rd, there may be a summons for a penalty for non-compliance with the order. The vaccination officer has written to me, stating that in no single instance has he taken proceedings under the third head against a defaulter previously convicted under the first. That being so, his conduct has not been contrary to the instructions of the Local Government Board, nor to the spirit of the letter to the Evesham Guardians. No doubt, it is contrary to the resolution of the Dewsbury Guardians; but that resolution, as they have been informed, is illegal, and, in fact, a nullity. There seems to me no ground for putting an end to the system of payment of the vaccination officer by fees, which has been generally adopted and works well; nor is it found to encourage prosecutions. The fees are not regulated by the number of prosecutions, but by the number of cases of successful vaccination.

INDIA—THE CIVIL SERVICE.

QUESTION.

Mr. PLUNKET asked the Under Secretary of State for India, Whether Government are prepared to take any action upon certain representations recently made to the Secretary of State for India, in favour of modifying the rules now in force, as to the preparation and presentation of Joint Memorials by members of the Civil Service of India?

Mr. E. STANHOPE: Sir, a letter containing certain proposals for the modification of these rules was handed to me by my hon. and learned Friend. It has been laid before the Secretary of State in Council, and it has been decided by them to send a despatch to India making certain suggestions on the subject for the consideration of the Government of India. Until they have had an opportunity of considering them, my hon. and learned Friend will understand that I am unwilling to go more into detail on the subject.

GAS COMPANIES AND THE ELECTRIC LIGHTING — REPORT OF SELECT COMMITTEE.—QUESTION.

Mr. CHADWICK asked the Chairman of Ways and Means, Whether, in any Private Bills passed this Session, the monopoly and powers of any gas companies in regard to gas have been extended to electric lighting, so as to give gas companies, in case of their undertaking being purchased by any public body, a claim to be paid for any such extra privilege or monopoly; and, whether he will Report to the House, before any such extension of monopoly rights are allowed in any Private Bill, whether opposed in Committee or otherwise.

Mr. RAIKES, in reply, said, that the Question was one of some importance with regard to the various measures which had been introduced in the House during the present Session by various public bodies, with the view of obtaining powers to use the electric light. As many as 35 such Bills had been introduced altogether during the present Session. It would be in the recollection of the House that a Select Committee was appointed to consider the question of lighting by electricity, and he stipulated with the promoters that in the event of their Bills being allowed to go forward all the clauses which related to electric lighting should be struck out; but that if the Committee reported in favour of such powers being given to the promoters of such undertakings, clauses to that effect should be introduced at a subsequent stage. The Committee having reported adversely to the extension of such powers to gas companies, those companies were not allowed to insert clauses relating to the electric light in any of the Bills promoted by them; but it had been open to corporations to adopt such clauses as might be found to correspond with the recommendations of the Committee, and in three or four cases they had done so. In no case, however, was power given to a gas company to make use of the electric light. With regard to the second part of the Question, he did not think it would be in accordance with precedent to make a formal Report to the House of the cases in which the extension was proposed; but, if he should continue to hold his present Office, he would not fail to mention the matter to the House if any such Bill came on for second reading.

EDUCATION (SCOTLAND)—THE ABBEY PARISH BOARD, PAISLEY, AND SCHOOL FEES.—QUESTION.

Mr. BIGGAR asked the Lord Advocate, If he will state the grounds on which the Abbey Parish Board of Paisley refused to grant the usual order to pay the school fees for the children of a widow named Smith, said widow being at the time in receipt of parochial relief; and if he will object to furnish the Correspondence between the Board of Superintendence and Mr. Archibald Macdonald; between the Board of Superintendence and the Abbey Board; Copy of the Notes of Mr. M. M'Lean, the inspector, and of the signed declarations made to him, together with Copy of the letter by which the Board of Superintendence conveyed their decision to the Abbey Parish?

THE LORD ADVOCATE (Mr. WATSON): Sir, I made inquiries in regard to the refusal to pay the fees of these children, and, so far as I can judge, the decision of the parochial board was based on some questions that were raised in regard to the creed register. This point, as it seems to me, was raised somewhat unnecessarily. There was no need to decide the point at all, and, in so deciding it, it seems to me the Parochial Board overlooked the plain intention of the Legislature in passing the Education Act. Accordingly, I have communicated both with the Parochial Board of Paisley and with the Board of Supervision, requesting that the matter should be reconsidered. That being so, I think I need hardly produce the Papers.

CYPRUS—THE PAPERS, No. 4.

QUESTION.

SIR CHARLES W. DILKE asked the Under Secretary of State for Foreign Affairs, When the short series of Papers, Cyprus, No. 4, laid upon the Table in print on the 4th of July, and ordered to be delivered in full on the 5th of July, will be in the hands of Members; and, who is responsible for the delay which has occurred?

MR. BOURKE, in reply, said, he had made inquiry at the Foreign Office, and had been informed that a series of Papers referred to by the hon. Baronet had not been delivered; but he would take care that they should be in the hands of Members in a day or two. The delay in issuing them was, no doubt, due to some inadvertences.

PRIVILEGE — OMISSION FROM THE VOTES AND PROCEEDINGS OF THE HOUSE.—OBSERVATIONS.

MR. CALLAN wished to direct the attention of the House to a matter of Privilege in connection with the Sitting on Friday night and early on Saturday morning last. The Chairman of Committees was in the Chair on Friday night and up to half-past 2 o'clock on Saturday morning, when the Chair was taken by the hon. Member for Stafford (Mr. Salt). On that occasion the hon. Member for Oxfordshire (Mr. Harcourt) was addressing to the House a very exhaustive speech with regard to savings' banks, and the hon. Gentleman the Member for Cavan (Mr. Biggar) directed the attention of the Chairman to the fact that 40 Members were not present. The Chairman having counted, and 40 Members having been found to be present, the Business went on as usual; but so anxious were the Government to report Progress that, interrupting the hon. Member for Oxfordshire, the Secretary to the Treasury took the most unusual course of moving "That the Chairman do report Progress, and ask leave to sit again." The glass was accordingly turned, the bells were rung, the doors were closed, and the Question again put to the Committee. At the request of some party—he believed, certainly, not at the request of the hon. Gentleman himself—two hon. Members on the Opposition side of the House were named as Tellers for the Government Motion; and, what seemed an unprecedented thing in the annals of the House, when the Division was taken it was found that the Secretary to the Treasury voted with five Cabinet Ministers against his own Motion. Attention was afterward drawn to the matter by the hon. and gallant Member for Waterford (Major O'Gorman), who then stated that the hon. Gentleman who moved to report Progress voted against his own Motion. It was said that an indictment was being prepared against certain hon. Members for wilful and deliberate obstruction of the Business of the House, and one of the clauses in that indictment, it was believed, was to the effect that the hon. Member for Cavan had voted against a Motion which he had supported in his speeches, or something of that kind. It was, therefore, essential, as a safeguard, that it should be stated in the proceedings of the House that an official Member of the Government—the Secretary to the Treasury—proposed "That the Chairman do report Progress, and ask leave to sit again," and within five minutes afterwards voted with the entire Government Bench against his own Motion. That, at all events, was a remarkable circumstance; but it was not all. The Motion to report Progress appeared in the proceedings of the night in question in the Parliamentary Votes, but without the name of the Secretary to the Treasury as Mover of it; and to that fact he wished particularly to direct the attention of the Speaker of the House. He had examined the Records of the House in the Library, and he could say that from the first week of the present Session up to the present day there had not been an omission of a single name from a Motion of the character of that moved by the Secretary to the Treasury. No similar case had been recorded this Session, and he wished it to be considered by the House that, whereas the name of Mr. Parnell had been inserted, the name of the Secretary to the Treasury had been left out from Motions with reference to reporting Progress. It might be that the omission was accidental; but if no correction was made there would be no opportunity for appealing to the Records of Parliament in case of an indictment for wilful obstruction being proceeded with. He did not bring this subject forward yesterday, because he had thought it better to wait and see whether the correction would be made in to-day's Votes. Seeing that that had not been done in the ordinary way, he now appealed to Mr. Speaker to see that the mistake was rectified. He thought he had fulfilled his duty in directing the attention of the House to the extraordinary omission, and he hoped the Clerk would be empowered to make the necessary correction.

Mr. SPEAKER: Until the hon. Member rose, I was not aware that the name of the Secretary to the Treasury had been accidentally omitted, as the hon. Member has stated, in the Votes delivered yesterday morning. It was, I am assured, a pure accident; and, having ascertained that the name was accidentally omitted, I have given directions that the sheet of the Votes containing the error should be cancelled, and that the proper entry be made in the Votes.

Mr. GRAY said, he thought it only right to say that he had called the attention of the Clerk to the matter that morning before public attention was directed to it, and he had undertaken to rectify it. As he was concerned in the matter, he wished to say a few words in regard to it. There was considerable confusion at the time when the Division was called, and when the hour-glass was turned in the interval which elapsed during the running of the sand he (Mr. Gray) and some other hon. Members suggested to the Secretary to the Treasury (Sir Henry Selwin-Ibbetson) that two or three Votes which they believed were unopposed should be taken before Progress was reported. That hon. Gentleman, believing as he (Mr. Gray) believed, that those Votes would provoke no discussion or opposition, did not challenge the Vote when the Question was again put. Other hon. Members, however, did challenge the Motion, it being in the possession of the House, and it was that, and that alone, which he believed led to the confusion and the rather extraordinary scene which followed. He merely desired, as he had a small part in bringing about the confusion, to explain that it was a pure misunderstanding, for which neither the hon. Baronet the Secretary to the Treasury nor anybody else was to blame. That had nothing to do however with the real question as to the completeness of the Parliamentary Record. The Motion was made to the House, and, not being withdrawn, was in possession of the House, and a Division being demanded upon it the name of the proposer of the Motion was not given. He did not think that the explanation which the Speaker had received, that the matter was due to accident, was strictly accurate, because the name was omitted in two places—first, in the Journals of the House, and, secondly, in the Division Lists. He was inclined to believe that if the matter was still further investigated it would be found that the name was deliberately omitted because of the confusion which arose at the time the Motion was put.

Sir HENRY SELWIN-IBBETSON said, perhaps the House would allow him to explain what really seemed to be an extraordinary act on his part. He thanked the hon. Member for Tipperary (Mr. Gray) for the explanation he had just given, and which really constituted his excuse for the course he had taken on the occasion referred to. Hon. Members would recollect that when the discussion was going on, after he had moved to report Progress, a strong feeling was expressed that the Committee should proceed for a short time longer in order that certain Votes might be taken. In these circumstances, when the Motion was put by the Chairman, he did not challenge a Vote, because he believed it was the unanimous opinion of the Committee at the time that they should go on. One or two hon. Members did challenge a Division; and he took a course which, perhaps, he ought to have hesitated to take, and which, had he had a little time to think of it, he probably would not have taken. It was not the only instance, he believed, in which the same thing had been done; but if he had thought about it he would perhaps have come to the conclusion that he should be acting more wisely in not voting at all. He was sure the House would believe that he had no wish or desire that there should be any concealment in the matter. He was only too happy to hear from Mr. Speaker that an accidental error in the records of their proceedings, which might possibly mislead, would be rectified; and he trusted the House would believe that what he did was done with no wish or desire to confuse the Business of the House.

MR. MONK said, he wished to make a personal explanation.

MR. SPEAKER said, if the hon. Member desired to make a personal explanation no doubt the House would hear him; but he must point out that any further discussion with no Motion before the House would be out of Order.

MR. MONK wished to explain how he came to be named as a Teller. After the Secretary to the Treasury had moved to report Progress the hon. Member for Stafford (Mr. Salt), who was then in the Chair, named the Government officials as Tellers for the Motion. Thereupon it appeared that objection was raised on the Treasury Bench to the Government Whips being Tellers, and the Chairman turned to the Clerks at the Table, at whose suggestion he (Mr. Monk) and the hon. Member for Kendal (Mr. Whitwell) were named. Had Mr. Speaker been in the Chair on the occasion referred to, he (Mr. Monk) would have challenged his nomination as a Teller for the Motion.

MAJOR O'GORMAN said, that irregularities occurred in the best-regulated families; and, seeing that Her Majesty's Government, who were, or ought to be, a well-regulated family, had been guilty of an error, he hoped they would be charitable when private Members committed irregularities.

SOUTH AFRICA—THE WAR—NEWSPAPER CORRESPONDENTS.

QUESTION.

SIR WILFRID LAWSON said, that as the right hon. and gallant Gentleman the Secretary of State for War was now in his place, he would ask him the Question which stood first upon the Notice Paper—namely, Whether newspaper correspondents at the seat of war in South Africa are permitted to take an active part against the enemy, otherwise than in self-defence; and, whether the attempt to shoot a fugitive Zulu scout, which the special correspondent of the "Standard" records that he himself made, as may be seen in the "Standard" of July 17th, is a matter which calls for any notice from the War Office?

COLONEL STANLEY: Sir, in reply, I beg to say that I conceive any officer who permitted a newspaper correspondent to take an active part against the enemy would act in a manner which I should characterize as unjustifiable. In reply to the second part of the Question, I have to say that I have looked at the paragraph referred to, and find that the corespondent states that he twice attempted to fire at a Zulu, but in neither case did his rifle go off; and it does not appear that he either hurt the Zulu, or even frightened him. If it were a general practice at the seat of war for persons not connected with the Service, and not on duty, to take an active part against the enemy, I should consider it my duty to address some communication to the General Officer; but as there is no evidence of the existence of the practice beyond that contained in the letters of the correspondent to whom attention has been drawn I do not intend to notice the matter further.

THE ROYAL COMMISSION ON AGRICULTURAL DISTRESS.—QUESTIONS.

MR. E. JENKINS asked Mr. Chancellor of the Exchequer, Whether in the constitution of the Royal Commission on Agricultural Distress, as it is expected that several landlords and tenant farmers will have places on the Commission, regard will be had to secure the presence on the Commission of some person or persons fairly representative of the views and interests of the agricultural labourers?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said, the question of having upon the Royal Commission on Agricultural Distress a representative of the views of the agricultural labourers had been under the consideration of the Government; but they did not see their way to overcoming the difficulties which presented themselves.

MR. E. JENKINS subsequently asked, with the view to prevent any misunderstanding, Whether the Chancellor of the Exchequer meant that there was an objection to placing an agricultural labourer, or any person who represented that class, upon the Commission?

THE CHANCELLOR OF THE EXCHEQUER said, several communications had been made to the Government with a view to have an agricultural labourer, or a person connected with agricultural labourers, upon the Commission. Those representations had been carefully considered, and it had not been found possible to overcome the difficulties which suggested themselves to the mind of the Government.

MR. E. JENKINS asked, Whether, if some other person, not an agricultural labourer, were suggested, the Government would consider the matter?

[No reply was given to this Question.]

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTIONS.

MR. CHILDERS said, he understood the Chancellor of the Exchequer, in answering at an earlier stage a Question put to him by the hon. Member for Hackney, to say that on Thursday he would propose the Vote for the expenses of the Zulu War, whereas he had understood the right hon. Gentleman to say on the previous day that he would not ask the House to pass the Vote on Thursday.

THE CHANCELLOR OF THE EXCHEQUER said, he had not meant to state that he would ask the House to pass the Vote on Thursday, but only that he would lay the Estimate on the Table, and make a statement.

MR. W. E. FORSTER: Is it the intention of the Government to take the Education Estimates as the First Order to-morrow?

THE CHANCELLOR OF THE EXCHEQUER: Yes.

THE O'DONOGHUE: Might I ask Mr. Chancellor of the Exchequer, Whether he will say when the Committee on the Irish University Bill will be taken?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am not able at this moment to fix a day, and it will be impossible to do so this week.

MR. RYLANDS wished to know when the Vote for the enlargement of the Reporters' Gallery would be taken?

THE CHANCELLOR OF THE EXCHEQUER suggested that the hon. Gentleman should give Notice of his Question.

In reply to Mr. PRICE,

MR. W. H. SMITH said, the Navy Estimates would be proceeded with on Thursday.

PRIVILEGE — (TOWER HIGH LEVEL BRIDGE (METROPOLIS) COMMITTEE).

PETITION.

MR. SPENCER WALPOLE: Since I came into the House I have received from the Sergeant-at-Arms an envelope containing a Petition from Mr. John Sandilands Ward, who is now in the custody of the Sergeant. It contains, also, a letter addressed to myself, expressing the hope that, as I was Chairman of the Committee that tried the Breach of Privilege question, I should give the Petition my careful consideration, and that I should not consider it inconsistent with my duty to bring that Petition under the notice of the House. I have read the Petition over, and I find that there are certain things in it which ought to be considered. I find that the petitioner entirely submits himself to the House. He expresses his unfeigned sorrow and regret for what has occurred. Under these circumstances, Sir, I think it only right and proper to lay this Petition upon the Table of the House, and to move that it be printed and taken into consideration to-morrow, immediately after the assembling of the House.

Motion *agreed to*.

Petition to lie upon the Table, and to be *printed*. [App. 1.]

Petition to be taken into consideration *To-morrow*.

ORDERS OF THE DAY.

BANKING AND JOINT STOCK COMPANIES BILL—[BILL 126.]

(*Mr. Chancellor of the Exchequer, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson.*)

SECOND READING. [ADJOURNED DEBATE.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [22nd July], "That the Bill be now read a second time."

And which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."—(*Dr. Cameron.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

MR. W. HOLMS said, that last week he, in common with several other hon. Members, opposed the second reading of the Bill. He and they did so because they believed that Scotland had been unfairly treated in connection with that measure. The Chancellor of the Exchequer had evidently thought it impossible to carry the Bill as originally proposed, and had, therefore, come down to the House with a proposal to the effect that Scotland and Ireland should be excluded from the provisions of the Bill. That was a proposal which was eminently unsatisfactory both to Scotch and Irish Members; but now that the Chancellor of the Exchequer had decided upon withdrawing the 8th clause, and to include Scotland and Ireland within the scope of the Bill, he, for his own part, should withdraw the opposition he had offered, and as he thoroughly approved of the principle of the Bill he should give it his hearty support.

MR. J. W. BARCLAY said, that the declaration that the Chancellor of the Exchequer had made when he moved the second reading, supplemented by the other declaration that Scotland should be put on an exact equality with England, was satisfactory so far as Scotland and Ireland were concerned; and he could only express his regret that the Government should ever have allowed themselves to be induced to introduce a clause which practically would have had the effect of turning all the Scotch business out of London. He regretted that the Government should have adopted such a course, he believed only in deference to a section of the banks in London, which, no doubt, had put strong pressure on the Government; because he believed it was recognized by the public in London that whatever might be the case as to Scotch banks in Scotland their advent to London had been very advantageous to the business of that City. He thought, however, that the Bill required some further consideration in the public interest before it was proceeded with. He believed that some great principles were involved in the passing of that measure, which was brought forward apparently in the interests of the public, but really in the interests of the shareholders of banks. What was the state of matters with which the Bill proposed to deal? They had many large banks which, by giving the assurance of unlimited liability on the part of the shareholders, had induced the public to put very great confidence in them; and, as a consequence, they had received from depositors and others very large sums of money. Now, in consequence of the great confidence which the public had placed in them, those banks had been able to pay very large dividends upon their capital. They had ranged from 10 to 20, and even more, per cent per annum, besides making large additions to the reserve funds. Well, a business which paid at that rate was not, as a rule, unattended with risk to its shareholders, and what was now proposed was this—that those banks which commenced with unlimited liability, and having secured the confidence of the public, having large deposits placed with them, could now turn round and limit the responsibility of their shareholders. Now, the grounds upon which that proposition was made were somewhat to this effect. The shareholders in unlimited banks—not only the City of Glasgow Bank, but others—had become aware that they were incurring considerable liability in being so; and it was alleged that men of substantial property would not now consent to be made shareholders with that undefined liability hanging over them. But surely it was a very great insult to the intelligence of men of business to suppose that up to that time—the time of the failure of the City of Glasgow Bank—those banks were not perfectly well aware of the very great responsibility which they incurred. Every business man must have known that he, as a shareholder, was responsible to the fullest extent of his means for the obligations of that bank. What really was now asked to be done by the Bill was to maintain the price of bank shares in the market. It was proposed by the Bill to relieve the responsibility of shareholders of unlimited banks, the consequence of which would be that the price of bank shares would be maintained in the market. As it was, the shareholders of these banks having raised the price to such an amount, a dividend of 15 per cent, might be, would only return 5 per cent, or at the most 6, upon the market price. There were two cures for the present state of matters. It was quite true that business men and men of common sense would not hold bank shares, while they could sell them at such a price as would only bring the purchasers 4 or 5 per cent. They would reflect that if, instead of holding these shares on which they were getting 20 per cent, they could sell them at a corresponding price, and re-invest the money in some security on which they would get 4 or 5 per cent, and with no liability whatever, it would be much better for them. The price of bank shares had risen in the market. The expected higher dividend had been discounted, and the bank shares were now at their present high price, not so much for the dividend the shareholders had got, as for the dividend that they expected to get. If this Bill passed, they would have bank shares higher still in the market. The real difficulty which had occurred was this—that they put the price of bank shares too high in the market, and the Bill was introduced for maintaining that price. The remedy for the difficulty was that the price of bank shares should go down in the market to such a price as would pay their purchasers a dividend of about 6 or 8 per cent, in which case the shares would be purchased by men of substance, who would be willing to incur the amount of risk which would be entailed by a dividend of 6 or 8 per cent. With regard to the proposal as to reserved liability, he did not think that it would be found to be satisfactory in practice, or, indeed, practicable. The difficulty which arose was this. If they organized a limited or reserved liability bank with a capital consisting of £50 shares, and another £50 liability upon them; if the first £50 was called up, although the shareholders should have some reserve to meet their liabilities, the objection was that the remaining £50 was not available for the purposes of the bank until the bank suspended payment. It would be much better that the bank should be organized with a smaller amount of paid-up capital, so that the public could see how much uncalled capital there was, and that that uncalled capital should be available for the bank at the time of difficulty. He thought that, for the purposes of reserved liabilities, it was hardly worth wasting such a Bill; because he believed that if the public had an opportunity of organizing a bank with limited liabilities they would not do so, but would prefer a bank which would leave a proportion of the capital not called up in the manner he had suggested. There was, however, another question connected with the measure he wished to call attention to, and that was the privilege which was to be continued to unlimited banks which became limited or reserved of still maintaning their issue of notes. That was a point which created very considerable complications with regard to the Bill in carrying out the principle which was supposed to underlie its provisions. The Chancellor of the Exchequer in his speech had said that this Bill provided that the shareholders should, in addition to their reserved liability, be also responsible for the full payment of the notes in circulation to the general body of creditors of the bank. Now, he thought that introduced an abundant element of uncertainty in regard to the shareholders. It might be quite true that the reserved liability was united to a certain amount, when there was no issue of notes; but when there was an issue of notes the shareholder could not possibly learn the amount of his liability. It seemed to him that the clear and broad principle to lay down with regard to the note issue would be that if an unlimited bank became limited, by the fact of its doing so it should lose altogether its right to a note issue. If that principle were not adopted in the Bill, the effect of it would be to still further augment the privileges and increase the monopoly of banks. The Scotch bankers and the monopoly they possessed had been very frequently alluded to in the course of the debate; but, up to recently, that monopoly had not been complained of to any very great extent. But he thought he was expressing what was becoming a general opinion in Scotland, to the effect that Scotch banks were beginning to exercise their monopoly to an extent which was injurious to the trade in Scotland. One particular complaint which the people had as to the Scotch banks coming to London was that the Scotch banks were receiving deposits all over Scotland, that they brought the money to London, and actually lent it there on the Stock Exchange, or at discount, at a much lower rate of interest than they would have charged in exactly similar transactions in Scotland. He considered that that was a point which was deserving of the consideration of the House; because, until the note issue was taken away from the Scotch banks, it would be hopeless to attempt to institute any new bank in Scotland to compete successfully with the present monopoly. He should wish further to call the attention of the House to the State policy in regard to the note issue. The question was raised by the right hon. Gentleman the Member for the City of London (Mr. J. G. Hubbard), when a Bill was introduced on the subject in 1875. In the discussion on that Bill, the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) said—

> "Sir Robert Peel proceeded steadily on the principle that where the law proposed restrictions on issuing banks, these restrictions ought to be maintained; and, moreover, Sir Robert Peel did that with reference to a wider principle still—namely, that the State ought ultimately to get into its own hands the whole business of issue, and that that course ought to be taken upon the first favourable opportunity."—[3 *Hansard*, ccxxii. 1985.]

The Chancellor of the Exchequer, rising afterwards, said—

> "I believe this to be the truth of the case—that as far as England at least was concerned, Sir Robert Peel looked forward to the time when the provincial issue should be absorbed, and come into the hands of the Bank of England as the agent of the State."—[*Ibid.* 2020.]

He thought, therefore, that the present would be a favourable opportunity for providing in the measure now before the House that any unlimited issuing bank which availed itself of the powers of the Bill, and became limited, should lose altogether its right of issuing notes. It appeared to him that the present was a favourable opportunity for the State to demand of those banks of issue which availed themselves of the advantages of that Bill that they should abandon altogether the right of issuing notes. Then, as regarded the provisions of the Bill as to notes, they seemed to him to be altogether unsatisfactory. According to the last Acts—namely, the Companies Acts of 1862 and 1867—notice of an intended change had to be sent to every special creditor of the company which converted itself into a limited liability company. But banks which intended to convert their liability into that of a limited character would immediately take the opportunity of changing the deposit receipts; so that a creditor, without being aware of the fact, would find that he was only a creditor from the date of his new deposit receipt. For all these reasons, he should support the Amendment moved by the hon. Member for Glasgow.

MR. J. G. HUBBARD said, the whole subject was one of extreme complication, and it was so because the interests affected were distinct ones, and had been erroneously connected when they were absolutely and entirely different. Banks performed two functions, one the Imperial function of issuing notes, and the other the legitimate business of banking, and the only remedy for the evils which attended the present system was for the Government to assume for the State at the earliest opportunity the absolute exercise of the Imperial function of issuing notes, a step which need not involve any injustice to issuing banks. Why was the Bill introduced? What had been the provoking causes of this proposed legislation except the failure of the City of Glasgow Bank? Barring that failure there was nothing in the world to disturb the confidence of shareholders or depositors — nothing but that failure, which had opened a vista of the possible failures of other banks. But what was the case with many of the other banks? They were asked to permit them to diminish their liability; but in whose behalf was that request made? It was a petition on behalf of the banks. On whose side ought the House to consider it. He thought it ought to be on the side of the depositors, who were as 100 to 1 compared with the shareholders, while much more depended on the money put into the bank than on the capital subscribed. For himself, he had no faith in subscribed capital; while the capital of a bank ought to be in proportion to the amount of business done. Then, with regard to audit, he had no great faith in periodical audits; but he had faith in a true candid statement made in a shape that the public could understand. Nothing was more unsatisfactory and more calculated to mislead than the way in which many of the banks presented their accounts at present, for they mixed up "cash" with "money on call" and with "convertible securities," essentially different things. He believed a great deal might be done hereafter with regard to putting banks under an obligation to make their accounts more straightforward and satisfactory. If the House legislated for the purpose of the present measure they legislated in a panic, and without due consideration of the subject; and it was impossible to deal with the subject properly as long as the operations of issuing and banking were conducted for the advantage of the same bank, because, for mere banking, the most absolute liberty was required, and the issue of paper money was a function which ought to be exercised for the State alone. He thought the Government would find, in the fact of the many objections to the measure, that they could hardly expect to pass such a Bill, and he suggested that they should leave the subject to another Session and deal with it in a larger and more comprehensive manner.

SIR HENRY JACKSON agreed that this was a panic measure, and nobody could doubt that the panic had resulted from the unfortunate case of the City of Glasgow Bank, a case which was different in its circumstances from many of its English compeers. Although the House of Lords had now decided the contrary, yet there was good ground for believing that the position of trustees who happened to be shareholders in the Scotch banks was, by an Act of Parliament, somewhat more favourable than that which they were known to occupy in respect of the English banks, and a very large number of gentlemen had been caught in the toils of that litigation, and had been ruined. They thought the terms in which they had actually registered as shareholders in that bank freed them from any personal liability, and that the liability attached to the estate which they represented and not to themselves. That created, very naturally, great alarm, and a great amount of suffering, and then the London unlimited banks began to perceive that the moment there was panic there was a great rush to get rid of shares. The natural tendency of this was, of course, that weak holders took the place of strong holders, because the person who, under the circumstances, would take a share in an unlimited bank was a person who had nothing to lose but the interest in that particular investment; and, no doubt, there had been a tendency in that direction. He believed that to some such circumstance as that the great pressure, which it was notorious had been put upon the Government, was to be attributed. As far as allowing an unlimited bank to become a limited bank, if it was so minded, he, for his own part, saw no objection. The Act of 1862 gave that power; but the banks then were far too proud of their credit and position to condescend to take advantage of it. It was not on that account that he ventured to submit there was an objection to their Bill, and that the matter required to be further considered. He understood that it was quite settled that Clause 8 should be omitted; but he did not know how far Clause 9 was to remain in the Bill.

THE CHANCELLOR OF THE EXCHEQUER: We retain that clause.

SIR HENRY JACKSON said, it became important that he should call the attention of the House to the great difficulty which resulted from the retention of that clause. They had at present limited and unlimited companies, and companies incorporated by Act of Parliament and incorporated by Royal Charter, and that was, surely, enough. But the Bill proposed to create a kind of Joint Stock Companies. The banks reserved liability, and he understood that the necessity for this legislation resulted from one circumstance only—namely, that there were a large number of banks with unlimited liability who had paid up the whole of their share capital, and, inasmuch as there was no reserve or share subscribed capital, the directors did not see their way to persuade the shareholders to increase their subscriptions, without which they could not get credit on the footing of being registered as an unlimited company. The Government stepped in to help them, and proposed a new category of Joint Stock Companies to meet that particular emergency or difficulty—that was to say, they proposed a class of banks where the liability should arise, not while the bank was a trading concern, but the moment it came into liquidation. In other words, they did not propose to intrust directors with the power of calling up the reserve from the shareholders for the purpose of trading; but they kept it as a fund to which the creditors might look in the event of the company eventually coming into liquidation. At first sight, there did not seem to be a great deal of harm in that; but what he wanted to point out to the Government was this—How many banks were there in that position? What was the necessity for any change in their companies' laws? Unless the necessity had been clearly proved, it seemed to him that there was the strongest possible reason why the Government should not call into existence a new class of companies with new incidences. With every new institution, possessing new rights, rose up a vested interest which made it more difficult hereafter to legislate in regard to the whole subject upon a broad and comprehensive principle. He would submit to the Government whether it was worth while to put on the Statute Book this year an Act which would create two distinct classes of new companies, and add confusion to the existing state of confusion in regard to their Joint Stock Companies' law? He hoped that the Government would be satisfied with the fair discussion which had taken place, and defer legislation till next Session, when the subject might be more satisfactorily grappled with as a whole.

MR. CHARLES LEWIS thought there was something peculiar in this chorus of opposition, arising from the particular quarter from which it came. He was surprised at the speech of his hon. and learned Friend the Member for Coventry (Sir Henry Jackson), who had referred to the 9th section as introducing a new series of complications. Now, considering the distinguished position which his hon. and learned Friend occupied, both in the House and elsewhere, he was the last person from whom he should have expected to hear that observation. If he had looked out the first two lines of the section, he would have seen a reference to the clause in the Companies Act of 1862, which in another form did the very same thing but imperfectly. If the Bill were liable to the charge brought against it by the hon. Member for Forfarshire (Mr. J. W. Barclay) in two particulars, it certainly would not deserve the support of that House. That hon. Member objected, in the first place, that the measure was not in the interest of the public; and, in the second place, that it altered the liability of present shareholders to their existing creditors, and that by some peculiar process, which, no doubt, he understood himself, it was likely to keep up and even to increase the price of bank shares. But was not this a public question? They could not go on without banks any more than they could without Water Companies and Gas Companies. They were a part of the necessities of business life, and anything which put their relations towards the public in a better, a more solid, enduring, and healthy condition was worthy of the consideration of the Legislature. The experience they had had in this matter had been narrowed to the failure of the City of Glasgow Bank; but it had been forgotten that since then a very considerable English bank had failed, and spread disaster right and left to such an extent as to create a second panic in England. The public had got to look to the healthy condition of the joint-stock banking system, as a part of the great business of commercial life in this country; and the present condition of affairs was such that but for the probability of this Bill becoming law there would have been a general stampede of all the men of fortune, and property, and of common sense from the unlimited banks, because no man who desired to sleep comfortably in his bed, or make a will for the benefit of his family, would consent to remain under such liability as existed at the present moment. It could not be said that that was a state of things beneficial to the public. He maintained that the question was a public one. The hon. Member for Forfarshire could not have read the Bills and Banks Act, for it was as plain as the way to the parish church that the liability at present existing on the part of the banks could not be affected by this Bill. Therefore, they were doing no such outrageous thing as narrowing the liberty of existing shareholders. The Act of 1862 had not been taken advantage of by the banks on account of its cumbrous machinery. By that Act the banks were compelled to give individual notice to the depositors of their intention to change from unlimited to limited liability, which would operate most prejudicially to all concerned; whilst the present Bill enabled the directors to make the change by publishing notice of their intention in the public newspapers and in *The Gazette*. The suggestion that the operation of the Bill would be to increase the value of shares, and that in that way small investors would be tempted to seek larger dividends, was not consistent with the avowed object of the Bill to encourage richer men to allow their capital to remain in banking concerns. The House was not considering the Bill in a panic, but under the pressure of demands deliberately made in such a way as to render it the duty of the Government to throw upon the House the responsibility of rejecting a measure for the relief, not of shareholders only, but equally of depositors and of the whole banking community. No doubt it would have been satisfactory it there had been time to send the Bill to a Select Committee, in order that it might be considered whether the object could be attained without creating another class of banks; but, having regard to all the circumstances of the case, he trusted the House would be loyal to the principle of the Bill, which up to that time had been received with general assent, and not only pass it through Committee, but secure its becoming law without any further waste of time.

Sir ANDREW LUSK begged to say that he was rather vexed that this Bill should be brought forward at the present time. He would have preferred a measure that could have been more maturely considered, and that greater time could have been allowed to work out this important question. He was sorry, after what they had heard, that this Bill should be pushed forward. In Scotland, it was said, the banks had a great monopoly, and that they exercised their power over the public as they liked. They charged what rate of interest they pleased, and the public were, practically, helpless in their hands. It was a serious accusation for a Scotch Member to put before the Chancellor of the Exchequer. There was a galling monopoly in Scotland, which could not be touched. There was no monopoly so great as this bank monopoly, and there was no question at all that it was a very serious thing that this state of affairs should exist; but still he was sorry, when the Chancellor of the Exchequer had undertaken to legislate on banking, that he had not done what he proposed at the beginning. Some people from Scotland would not let the Bill pass unless they got their way, and others unless they got theirs; and it seemed to him that the Bill would dwindle down to a very small thing on limited liability. They were legislating, as it seemed to him, entirely on behalf of banks, and were neglecting those who were depositors in those banks; and he confessed he did not like that people should run away with the idea that Parliament was endeavouring to save those who were bankers, and leaving those who were depositors in their unprotectedness. A banking company was simply a commercial company, intended to make money for the shareholders. Why should Parliament continually throw around them the mantle of protection? Why should they not be subject to the same rules as other commercial establishments? What about private banks, of which there had been more failures than of public banks? The Scotch wanted monopoly at home and liberty in England; the English wanted a fair field and no favour. Let there be but one denomination of banks, and let them all be under one law. Above all things, they ought to consider the confiding public, whose trust was wonderful and astonishing, and who ought not to be deceived by names and distinctions they could not understand. He did not want to oppose the second reading of the Bill exactly, because it was right to give some consideration to those who had enormous risk on their shoulders; at the same time, he could not say he approved of the Bill.

Sir GRAHAM MONTGOMERY said, it would be wise to pass the Bill this Session, because he feared that if the question of allowing unlimited banks to become limited were not dealt with until the question of issue was considered, the day would be far distant when liability could be limited. He was a Member of the Committee on Banks of Issue, and he remembered that the Committee was flooded with schemes on the currency question. That was a subject it would take a very strong Government to deal with, and he did not believe that in Scotland they wished to have it dealt with. The sympathy of some hon. Members was confined to depositors; he thought some consideration should be shown to shareholders also; and he would, therefore, be very glad to see the Bill, with certain modifications, passed. He hoped the House would have a statement from the Government as to what portions of the Bill they meant to retain, and what to abandon; and that the Chancellor of the Exchequer would see his way to allow banks, simply by advertising in *The Gazette* and in certain newspapers, to make the change from unlimited to limited liability, instead of requiring them to write "Limited" on their doors. A good deal had been said about the monopoly of Scotch banking. He did not believe there was any snch monopoly, and he was quite sure that Scotch banks had been a great advantage to the country. He believed there were over 600 branches scattered all over Scotland, every small village almost having its branch bank, and that had been of untold advantage to the people; and there could be no doubt that every person who could give reasonable security would have the necessary facilities afforded him by every banker. He hoped the clause as to auditing would be kept in the Bill. He believed that a system of auditing and a particular form of accounts would prove a great advantage both to the banks and their customers. If, in the case of the City of Glasgow Bank, there had been auditors chosen by the shareholders, and a proper supervision by accountants, the organized fraud of directors and officials of that bank would not have occurred. He did hope the House would agree to pass the second reading of the Bill; and he hoped some Member of the Government would show exactly how the Bill would stand if it did pass, and what alterations would be made in it in Committee.

SIR EDWARD COLEBROOKE cordially supported the Bill, observing that the Chancellor of the Exchequer had a task of the greatest difficulty in legislating for the shareholders of a bank, and, at the same time, doing it in such a way as not to injure the interests of depositors. He looked upon the position of banks as peculiar. The capital of those in Scotland was only about £10,000,000, while the deposits were £80,000,000; and he did not see what harm could arise to these banks if they were only limited to their shares. There were several banks in Scotland of limited liability, which had maintained themselves side by side with unlimited banks, and with great success. He considered that the two interests were not irreconcilable, and if they could obtain equal security as before for depositors, it would be for the public interest that the liability of the shareholders should be defined. For his part, he shared the expectation that this measure would induce persons of responsibility and position to come forward in the management of those banks more readily than they had hitherto done, and thus give some security for good management. This was what they must mainly look to for the security of shareholders, apart from the vigilance of the shareholders themselves. No doubt, there might be a good deal of difficulty in the transition; but it could be got over. The point on which the Bill had been attacked by the hon. and learned Gentleman (Sir Henry Jackson) was a great merit. It was owing to a panic that it had been introduced; but the very circumstance that there was a panic justified the Government in coming forward. If nothing was done, a shock would be given to many concerns which they could not easily weather; and, therefore, it was in the interest of depositors as well as shareholders that there should be legislation in the matter. He was anxious, however, to press on the Government and the House that legislation ought not to stop there. The Scottish banking system was not a monopoly, as had been stated popularly in conversation. There was no legal restriction in the establishment of any bank; but there was a social restriction, inasmuch as no bank had any chance of being established in Scotland that had not the power of note issue. It was now about 15 years since endeavours were made to find a remedy for this, by allowing all banks to be established on the ground that they should deposit gold in respect to every note that was issued. The proposal met with little support from Scotch Members. However, in the absence of such a scheme, he would be glad to see facilities given for the establishment of banks where the public would have some security for the solvency of the notes that were issued, and where, at the same time, a degree of freedom would be given that was now wanting to the banking transactions of the country. If they were to wait until all issue banks were swallowed up, they would have to wait two or three hundred years. If care were taken to satisfy the public as to the convertibility of the notes, that was all that would be wanted. He did not think that Scotland laboured under any very serious evil owing to the present limitation of banks. Though they had come down from 30 or 40 banks some 20 years ago to 10 or 12 now, there was a sufficient number to satisfy the wants of the public. The grounds for legislation was, therefore, not extortion from the existing banks, but the danger arising from the whole circulation and business arrangements being thrown on a limited number of banks, so that it was impossible to fill up a gap when a great failure occurred. Perhaps some such suggestion might find more favour, if the Government would clear their heads of the notion that there was some great profit to be made out of the circulation. It had been contended that the privilege of issue should be enjoyed by the State alone; but the amount of profit on the whole was so small as to be scarcely worth considering. The whole note circulation of Scotland was scarcely more than £3,000,000, and the whole profit of that would not amount to more than £80,000 or £90,000. That was not a matter which it would be necessary to entertain; but he thought that in any steps they took there should be full security for the interests of the public, and the freedom of banking throughout the whole country.

Mr. Alderman COTTON said, that as this Bill embraced Joint Stock Companies as banks, and as it was received with almost universal approbation, he hoped the House would allow the second reading. Those banks which availed themselves of reserved liability did so at their own risk, and would have to notify the same to the public. With regard to the shareholders, there was no doubt that they ought to have protection as well as the general public. As far as the City of Glasgow Bank was concerned, there was not a shareholder there who was aware of the enormous liability to which he was subject when the bank went down. He believed that the passing of this Bill would give confidence to the public mind, that it would reflect credit on the Government, and that it would allay a great deal of outside alarm.

Mr. MUNTZ said, that the discussion which had taken place had shown the great difficulty of the question, and how dangerous it was to interfere with institutions of this kind. They were told that certain clauses were to be inserted in, and others taken out, of the Bill, so that they hardly knew what the nature of the measure was. He could see no reason why banks should not be allowed to register as limited banks, if they objected to the great responsibility of being unlimited. The object of the Act of 1826 originally was to give an unquestionable and unlimited security to depositors; but now they were told that the interests of the depositors were quite a secondary consideration, and that the object of the measure was merely to protect the shareholders of unlimited banks. The first object of the Bill was to allay the panic which grew out of the failure last autumn. If they were to legislate, they ought to legislate so as to meet the requirements of the unlimited banks that desired to escape from their responsibility; but they ought, at the same time, to protect the depositors, who, in his judgment, were not protected by this Bill. If the Government wished to pass the measure simply in order to give a limited liability to the unlimited banks with ample security to the public, he should be glad to vote for the second reading. But nothing could be more unfair than to allow people to get rid of their liability to depositors, without acknowledging it openly by the adoption of the title "limited;" and if it were the object of the Bill to enable London banks, under the new-fangled name of "reserved liability," to get rid of their liability, while they were ashamed to own it, there would be a fraud committed on the public, and the Bill ought not to pass. The clause had now been withdrawn. The Government had better withdraw the whole of the Bill, excepting the part of it which enabled unlimited liability banks to take steps for making themselves limited. He could not vote for the second reading of the Bill, unless it was curtailed in some such manner.

MR. BARING thought he went further in opposition to this measure than almost any Member who had spoken on this subject. As he understood the principle of the Bill, it was a measure to make it more easy for laymen and laywomen to do the business of bankers, merchants, and traders, without knowledge, skill, labour, or risk; but there must be risk, and so it had to be put on somebody else. The Bill, therefore, was a Bill to relieve the shareholders and directors of a responsibility which they had assumed of their own free will, at the expense of depositors and creditors. Now, that was a very serious extension of a system of the working of which he had not a very high opinion, so far as it had hitherto gone. He did not assert that this Bill was a piece of panic legislation; but it certainly was introduced in consequence of panic, and in order to avoid, if possible, fresh returns of panic. He did not feel sure that they were entirely free from signs of panic at present. When they saw money at 1 per cent it was a sign that people were afraid to employ their money in anything that involved risk. He did not think they were in a safe position to proceed with legislation which would shake the credit of the country, and he believed the passing of this Bill would damage that credit. If hon. Members looked at the position of the City of Glasgow Bank before its stoppage they would find that, according to its reports, there was hardly a bank in the country in a better position. Its whole capital was paid up, and it was stated to have 45 per cent in reserve. Could anybody say to him that there would have been the slightest difference in the position of that bank had it been a bank of limited liability? Would there not have been the same difficulty to shareholders and depositors—to the persons who had their money in, and who trusted the bank? Persons in London who trusted that bank would have lost their money, although they had given it on the faith of a return issued by directors believed to be honourable, responsible, and well-to-do men. They were told that if this Bill were passed there would be better and more responsible shareholders. But were they so sure of that where there was limited liability? Was it not the fact that they did not under such a system get men who understood the banking business? The whole joint-stock business was rotten from top to bottom. The system worked upon was simply this—A bank was started. It was desirable, in order to make large profits, to call up as small an amount of capital as possible; but, in order to give confidence, there must be a large amount of capital subscribed. The larger their deposits were, in proportion to their called-up capital, so much the larger would be their dividends on the money invested. That was one false principle. Another false principle was that these banks allowed interest to depositors, and, in order to do so, were obliged to employ their money in more risky underakings than those on which the old-fashioned unlimited liability banks employed their capital; and there they got to the bottom of the City of Glasgow Bank difficulty. They took risks, in order to pay 15 per cent, that no bank not paying interest would have dared to take. There was a further evil. Shareholders were induced to put into shares money out of proportion to their capital, so that, when a call came, many had no money to meet it. He maintained that it would make no difference to many of these banks whether they remained as at present or were limited, without providing for the cutting down of nominal capital. But even supposing this Bill enabled them to obtain a respectable class of directors for banks they would generally have a managing director. Now, a man who dealt with his own money would naturally take more care than one who dealt with the money of other people. He would know that if he failed his fortune was gone altogether. But a managing director of a bank might ruin the shareholders and the creditors, and might be appointed to manage some other concern if he had shown himself to be very clever. He would mention another point. A great many banks had lately been doing business in accepting bills on shipments to foreign countries, and against shipments from foreign countries. Where the banks had a large capital those bills were taken in London and in the Continental market very freely. But supposing those banks, to protect themselves, became limited, would there not be a great deal of inquiry and distrust aroused? If the directors and shareholders were so very anxious to become limited this year, did it not seem natural to suppose it was because they thought that something unpleasant was going to happen this year? Therefore, if the directors of a bank now proposed to make their bank limited, they would be raising against themselves a disagreeable amount of inquiry. And this might produce exactly what they were trying to avoid—a panic. With regard to the 8th clause, he could only echo what had been said by the right hon. Member for London (Mr. J. G. Hubbard). He thought that what was sauce for the goose should be sauce for the gander. If the Scotch banks came to London, the English banks ought to have equal advantages. The hon. Member for Edinburgh (Mr. M'Laren) said that by the Act of Union England and Scotland were to be treated as one country. Let that be carried out and England would be satisfied. The 8th clause was left out to please the smaller country. It ought to be reinstated to please the larger country.

Mr. RAMSAY felt that if this Bill had been introduced to allay panic there was good reason that, now it had produced all the good it was likely to do, the Government should rest satisfied and withdraw it. If it was was not withdrawn, they should deal with this subject on some principle which the House could understand, and which might benefit the public. The truth was, that the failure of the City of Glasgow Bank and the West of England Bank, and the rumours regarding other unlimited banks had created throughout the country a desire on the part of shareholders to have their liability limited; and he had no doubt, if the Government had confined their Bill to enabling unlimited companies to become limited under prescribed conditions, there would have been no such discussions as those to which this Bill had been subjected, and such a measure could have been retained. If the measure was not to be so limited, he thought the Government should not, at all events, seek to create distinction between the classes of banks by maintaining the 4th clause, which provided for the formation of banks of reserved liability. He could not, indeed, conceive in what way it would be possible to distinguish between the limited liability of banks which were in existence, and the reserved liability of banks to be formed under the Bill. In the one case, the liabilities must be determined according to some multiple of their capital. In the other case, it was in the same way a multiple of a prescribed capital, for which the shareholders in a limited company were liable, and there was no real distinction between the two cases. If the Bill should go into Committee, he would propose to strike out the 4th clause altogether, and thus refuse to sanction the reserved liability provision. In reply to the hon. Member for North Lanark (Sir Edward Colebrooke), he would say that if the business of banking in Scotland were restricted by legislation, surely that made it a monopoly. A bank could not be carried on in Scotland according to the mode in vogue there without the right of issue. That mode had been a great advantage, and ought to be continued, unless it could be shown to be detrimental to the State. Some hon. Members who preceded him endeavoured to show that the Government should take the whole right of issue and circulation into their own hands, and make it a source of profit. But by what means was the State to benefit, if it benefited at the expense of the population of the Kingdom? He did not know what the State meant, if it did not include the whole of the Kingdom; and what would the State benefit by taking from the present banks the right of issue, by means of which they conferred advantage on the population? So far from acting on this idea, the Government ought to regard the promissory note for 20*s*. as the same as the note for £100. He deprecated the perpetuation of the system of monopoly. He deprecated the provisions of the Bill, which proposed to increase the classes of banks. It would be an advantage if they were all placed under the same category. He did not admit that there could be any advantage to the country derived from limited liability in commercial concerns. He protested against limited liability anywhere; but the Legislature, having recognized it, would do well to confine this Bill to the clauses that provided that an unlimited company might be made a limited company, notwithstanding the restrictions placed upon it by the Act of 1862. He thought that if that were done the Bill might be of use. Whether it would be an advantage to the State to have that limited liability was another question; but, seeing that the State had recognized limited liability in other trading and mercantile concerns, there was no reason why it should not be applied to banks. He quite recognized that the failure of the City of Glasgow Bank was not caused by ignorance on the part of those who administered the affairs of that establishment, but by the fraudulent practices the directors and officials indulged in. They could not, however, protect shareholders from fraud on the part of the directing and managing body. Any attempt to do so would fail. He did not object to that part of the Bill which provided for the audit of the accounts of limited liability banks. He believed it could do no good, but it could do no harm. He did protest, however, against the time of the House being occupied in the discussion of a measure which was not urgently called for by any section of the community; and he was of opinion that the Government should delay the Bill, and all discussion in regard to it, until they could deal with the subject of banking as a whole, and place it in a position satisfactory to the country. He hoped the Government, therefore, would not press the measure this Session.

MR. W. E. FORSTER said, the hon. Member for Falkirk (Mr. Ramsay) had given the Government two pieces of advice which were hardly consistent with each other. In the first place, he advised the Government to drop the Bill altogether; and, in the second, that they should only retain the clause of the measure which would enable unlimited banking companies to convert themselves into limited ones. He entirely agreed with the hon. Member that it would be unwise of the Government to attempt to deal, during the present Session, with more than the clause by which it was proposed to empower the unlimited banks to come to an agreement with their creditors by which their liabilities should be restricted. It was too late in the Session for the Government to attempt to bring in a complete measure dealing with the whole law relating to banking; and he desired to point out to the right hon. Gentlemen opposite that one or two proposals in their Bill would certainly excite discussion—not to say opposition—if they were pressed. For instance, the proposal of the Government to enable banks of reserved liability to be established was looked upon in the district with which he was more directly connected with more wonder than approval. Everybody understood what a limited and what an unlimited liability meant; but no one exactly comprehended what was meant by banks of reserved liability. Then, again, although there might be much to be said on the question of issue between Scotch and English banks, that was a large and difficult question which might fairly be put off till another Session. He, however, was far from thinking that it was desirable that no measure whatever on this subject should be passed. He had listened with interest to the able speech of the hon. Member for South Essex (Mr. Baring), who had so much experience on this subject; but one remark which fell from that hon. Gentleman had surprised him more than anything he ever heard. The hon. Member had said there was no difference between the position of the shareholders in unlimited banks and of those in limited banks; and he had pointed, in illustration, to a bank with which he (Mr. W. E. Forster) happened to be connected. That was a limited bank, and knowing that his liability was restricted to five times the amount of his share, he felt that his position was immensely different to what it would be if every penny he had in the world was at stake. For the hon. Member, with the facts of the City of Glasgow Bank failure staring him in the face, to say there was no difference between limited and unlimited liability was an extraordinary assertion. Hon. Members must be acquainted with case upon case in which wealthy shareholders in the City of Glasgow Bank, who could easily have paid five times the amount of their shares, would now be utterly ruined. It was desirable, therefore, in his opinion, after what had happened, to make the proposed change, and to enable all the unlimited banks to do what some of them were able to do. He had not been aware that the unlimited banks generally, under existing legislation, could not agree with their creditors and clients to turn themselves into limited banks; but it turned out that, though in some cases they could, in others they could not. He could not see the injustice of giving the same permission to all of them. In fact, he could not see the justice of withholding the permission. What right had they to refuse people the power of agreeing together as to how they should do their business? Of course, if they gave power to the directors or shareholders to say to their creditors, "You shall accept our limited liability whether you like it or not," it would be unjust; but this Bill gave creditors the option of refusing to agree to such an arrangement. It was a natural anxiety on the part of shareholders, after what had occurred, to wish to limit their liability; but it was also a step which would be immensely advantageous, not only for the banking interest, but for commercial interests generally. He was speaking now with some little degree of knowledge of what happened in his own district; and he believed that if they left the law in its present state the joint-stock banks would deteriorate in soundness. Gradually the rich shareholders—the people who would be perfectly able to pay five times the amount of their shares—would withdraw from those banks, and they would get in their places an unlimited number of men of straw, who would probably not be able even to pay up the value of their shares. He suggested to the Government that they should be satisfied with doing this Session what was useful, and not be ambitious to do more. If they passed a Bill containing the one clause to which he had referred—and the exact wording of it might be considered in Committee—they would confer a benefit on the community generally. Perhaps it might also be well to go into Committee on the audit clauses; although, like the hon. Member who spoke last, he was not very certain of any good resulting from them. They seemed to him to trench on that rather dangerous line of placing private affairs under the management of the State. But in regard to the main proposal of the Bill, he approved of it, believing the law was unjust which did not allow debtor and creditor to agree together in a way mutually advantageous, and he could not see why they should not at once remove that blot.

MR. ASSHETON CROSS remarked, that there were several ways of approaching a measure when it was desired to destroy it, and some of those means had been resorted to in this discussion. Thus, the right hon. Member for the City of London (Mr. Hubbard) had advised the Government to wait until they could bring forward a complete measure dealing with the whole question of banking, while other hon. Members had attacked the measure by minutely criticizing its provisions in a way more suited for Committee than for the second reading. He did not intend to touch upon the one or the other, but to state broadly the principles of the measure, and why the Government thought it should pass. One word, however, as to what had fallen from his hon. Friend the Member for South Essex (Mr. Baring). He agreed with the right hon. Member for Bradford (Mr. W. E. Forster) that the arguments of the hon. Member for South Essex had been rather extraordinary. There had been running through the whole of that hon. Member's speech a dislike of the joint-stock system of banking altogether, and it came out when he spoke about persons becoming bankers who knew nothing about their business. The hon. Member had also said they must take care how they limited the liability of persons who put their money into banks; but that was a matter which ought to have been discussed when they originally sanctioned the establishment of limited banks, and upon that he would only remark that limited banks, established under the Act of 1862, had been as prosperous as any. He (Mr. Assheton Cross) admitted that mischief resulted from men becoming directors who knew nothing about banking, who were misled by the managers, and who did not see where they were going till it was too late. It was also true that there ought to be great caution in the selection of managers or managing partners. They had enormous powers intrusted to them, and it was important that the utmost possible care should be exercised in their appointment. Another danger which the hon. Member had touched on was also real—namely, that the persons who invested in banks did not consider really what they were doing. People would buy £100 shares, of which only £10 had been paid up, and forget all about the

£90 which remained to be paid up. It was this class of investors who were referred to by the hon. Member, who said that it was practically of no importance to the shareholders whether the bank was limited or not. He (Mr. Assheton Cross) had been much startled at what had fallen from the hon. Baronet the Member for Finsbury (Sir Andrew Lusk), who said they could not deal with this question till they passed a law placing all banks on the same footing. Why, they might as well talk of passing a law that there should be only one denomination of religion. It was a principle in this country that they should carry on trade as they liked. He did not know whether the hon. Baronet meant that all banks should issue notes, or that none should do so; but the idea of making all banks alike was an extraordinary one. The hon. and learned Member for Coventry (Sir Henry Jackson) had argued on Clause 9 as if it were a perfectly new thing; whereas, in point of fact, it was only a clause of an old Act, newly drawn. Now, what was the real principle of this Bill, and what were they legislating about? It was said they were legislating in a panic. That he most entirely denied. No Government could have approached a question with greater calmness and consideration than the Government had approached this, nor did he think the House was in a panic, for they had discussed the matter with a due sense of the responsibility which attached to such a discussion. That the unfortunate failure of the City of Glasgow Bank, followed by that of the West of England Bank, had undoubtedly pressed the question on the notice of shareholders, the House, and the country, was true. The effect of those failures had been to make all the shareholders of banks look to their own position, and, having looked into that position, they had discovered that, in reality, they were subject to liabilities which they had never thought of before. Their danger had been brought home to their minds, and when the hon. Member for Forfar (Mr. J. W. Barclay) talked about this being a Bill in the interest only of bank shareholders he denied it. He did not say they were not benefited to a certain extent; but it was the benefit of the public generally which the Government and the House had to consider. It was to the interest of the public to retain the present class of shareholders—such men as the right hon. Gentleman (Mr. W. E. Forster)—and to give them such protection as would induce them not to withdraw their investments, which he believed they would not be so likely to do if they knew the full extent of their liability. On that ground, the matter appeared to him to be of sufficient importance to justify the intervention of Parliament. When they passed the Act of 1862 they gave all the banks the choice of registering themselves as limited liability companies; but, at the present moment, they had the greatest difficulty in so doing, and the object of this Bill was to restore to them absolute freedom to make themselves limited if they liked. Although many banks, when the Act of 1862 was passed, did not avail themselves of it, yet, if time and experience had shown them the desirability of doing so, they ought to have the same facilities for effecting that object now as they had in 1862. The hon. Member had surprised him, by arguing that those who had deposited money in unlimited banks would suffer if they had only limited liability companies to fall back upon; but he seemed to forget that the change could not be made without the concurrence of the creditors themselves. He wished to say a word or two about the audit and the form of accounts. Nothing would induce the Government to impose upon the banks any interference as to their management. The experience with regard to Insurance Companies would be sufficient of itself to deter anyone from such a step. They wished, however, to secure that there should be an independent audit. It was, undoubtedly, true an independent auditor could not go through the securities held by a bank and put an accurate value upon them; but he would be able to prevent the fraud in such balance sheets as those which had been issued by the directors of the City of Glasgow Bank. If the banks were honest, this would be a check upon inaccuracies; but if they were dishonest, of course, it would be difficult for any audit to defeat them. Then, again, under the present law, all limited banks were bound to publish detailed statements every six or twelve months; but the form of account thus provided was not proper or good enough. Of course, they were not bound to adhere to the form which had been placed in the Schedule of this Bill; but it was necessary, as a security to the shareholders and the public, that there should be some adequate form of account, which the banks should be bound to publish. He hoped the House would consent to read the Bill a second time. If this were done, it was the intention of the Government to commit it, *pro formâ*, in order that it might be re-printed in its amended form. Some Amendments would be introduced, but none of vital importance; and, with the exception of the 8th clause, the measure would, practically, remain in its present form.

Question put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed; considered* in Committee, and *reported;* to be *printed*, as amended [Bill 264]; *re-committed* for *Thursday.*

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CYPRUS—ADMINISTRATION OF THE ISLAND—CIVIL POLICE FORCE.

RESOLUTION.

MR. SHAW LEFEVRE, in rising to call attention to the impropriety of the proposal to vote money out of the Civil Service Estimates for the support of a Police Force in Cyprus, and to move—

> "That it is inexpedient to grant a sum of £26,000 for the Cyprus Police until a report from the authorities of the Island, showing the necessity for such expenditure, and a full statement of the finances of the Island be laid before the House;"

said, the Vote had been originally intended for a military pioneer force, to consist of eight English officers and doctors, 10 interpreters, 20 native officers, and about 1,100 men, and would have been included in the Army Estimates but for the fact that it was illegal to employ aliens in the service of the country without a special Act of Parliament, for, of course, the Natives of Cyprus were still subjects of the Sultan. The right hon. Gentleman the Secretary of State for War had admitted the illegality of the proposed military pioneer force; and the corps had, therefore, been described as a police force, and a Vote for it had been placed among the Civil Service Estimates. What he wanted to know was, what this police force was to be; whether it was to be a military force under a new name? It would seem that the force was to be reduced in number, though it would cost the same sum of money. Upon the face of the Vote the name of the force only was changed; its character and object remained unaltered. To enlist a military force in the Island would be illegal without a special Act of Parliament; and, in the case of a military force, the Vote ought to appear in the Army Estimates, and the men placed under the Mutiny Act. But it must be assumed, he supposed, that this was to be a police force in aid of the civil administration of Cyprus. In any case, however, the Vote was abnormal and unconstitutional; the force, if military, was illegal; and, if civil, ought not to be paid for by this country. They had constantly been told that no such Vote would be necessary. The Prime Minister, speaking at the Mansion House, had said that the Island, even in the first year of our occupation, would be no burden to this country, and that it would furnish not only the sum annually accruing to the Sultan, but also the whole expense of the civil government; and the Chancellor of the Exchequer had spoken at Birmingham last winter to the same effect. It appeared, therefore, clear that there was no intention last year to call upon the House to vote money for the civil expenditure of Cyprus. He wished now to know, assuming that this was to be a *bonâ fide* civil force, and not merely disguised as a police force, whether it was to be an addition to the Zaptiehs, or Native police, a force which had not been reported favourably upon by the officers in charge of it. The Reports of Colonel Warren showed that a very large force of Zaptiehs already existed in Cyprus, and that they had very little work to do. There were at present something like 1,100 Zaptiehs in the Island, and he wished to know whether the 800 which the House was asked to vote was to be in addition to that force? If it was, he could only say that Cyprus would have the largest force of the kind in proportion to its population of any country of which he had heard or read. As far as he could ascertain, the population of Cyprus was 150,000. There would be nearly 2,000 police, or 13 to 1,000 of the population; and there could not, he would venture to say, be employment for anything like that number. There had recently been complaints of the large police force in Ireland, and yet there the police were only two per 1,000 of the people. Taking the Colony which most resembled Cyprus, the Mauritius, which was about the same size, he found that, with a population of 350,000, it had only 600 Native police, or about two to 1,000. Again, the new Colony of Fiji, with 240,000 inhabitants, had only 400 police, and no military force whatever. He should like to know how many police would be required for Asia Minor if the calculation were based on the number supplied to Cyprus? A force of at least 140,000 police would be necessary; while India, if the police force there were placed on a similar footing, would require altogether 2,000,000 police. In the circumstances, he wished to know whether the Government were prepared to lay on the Table any Report showing the necessity of the enormous addition which it was proposed to make to the police force in the Island of Cyprus. From all that he could learn, such an increase of the force was absolutely unnecessary, and he could not help thinking that the proposal was the result of the strange and abnormal position of Cyprus with regard to the Government. If Cyprus were placed under the Colonial instead of the Foreign Office, he felt sure the House would never have heard of any such foolish, irregular, and unconstitutional proposal as that to which he had adverted. If, too, a man like Sir Philip Grant, who had so successfully administered the government of Jamaica, had been appointed to govern Cyprus, he was confident he would have found it possible greatly to reduce the police force of the Island. The Island, in his opinion, had been rather hardly treated, for from no country in the world, he believed, was so large a proportion of its revenue drawn as it was proposed to draw from Cyprus, with the view of handing it over to the Porte. The Revenue was £170,000 a-year, and out of that sum he understood that £115,000 was to go direct to the Sultan, leaving a balance behind of only £45,000. That was a difficult position in which to place the Island, and it would scarcely be remedied by undertaking so large an expenditure as that which was now proposed. The present proposal was one of a most extraordinary, abnormal, and irregular character; and he contended that the Vote required explanation from the Under Secretary of State before they went into Committee, and he hoped that the Government would postpone the Vote till another year, if they did not wholly abandon it; as, without some Reports from those in authority in the Island, he did not think that the House of Commons ought to be called upon to vote such a large sum for a force which could not be required in the Island. He, therefore, begged to move the Resolution of which he had given Notice.

SIR CHARLES W. DILKE, in seconding the Motion, said, he felt his hon. Friend the Member for Reading had demolished the proposed force. The original proposal to establish a military pioneer force in Cyprus was perfectly illegal, unconstitutional, and indefensible. He must, however, strongly object to the action of the Foreign Office, who, finding the illegality of their proposal, sought to carry out their object by a sort of side-wind by establishing a force there under the name of police, which, seeing that it was a peaceful country and free from insurrection, was wholly unnecessary. There was, at that moment, a British military police force in Cyprus. Therefore, we had two forces of police in Cyprus amounting, probably, to about 1,200 men, and we were proposing to add a new force of between 800 and 900 men to the police. That would be a police force of 2,000 men to a population of 150,000—that was to say, one in every 25 grown men would be a policeman in a uniform of some kind. Was not this Vote an attempt to get into Cyprus by a side-wind a military force, and without the direct consent of the House to the enlistment? As we were getting near the end of the Session, he would impress upon the Government the great necessity of their laying the financial account of Cyprus before the House. If this was to be a civil police, then he thought we should have an account of all the civil expenditure of the Island that we might know what were likely to be the future demands on our purse. No doubt it might be said that the sum now asked for was small; but it was only a commencement, and it might lead to untold expenditure in the future. There was no blinking the question. The real difficulty with respect to Cyprus was that of being able to make both ends meet. That desirable result could hardly be attained as long as £150,000 of tribute had to be sent to Constantinople. All the more necessary, therefore, was it for the House to be put in possession of the financial Papers connected with the Island. He also hoped that before this Vote was agreed to we might also have other Papers respecting Cyprus which had been frequently asked for in the House, especially those in reference to the rejection of the election of a Greek gentleman to office on the ground of his nationality, and to the existence of negro slavery in the Island, upon both of which points the information furnished him came from high authority, and was in complete conflict with the denials which had been officially given; and, also, the new instructions with regard to the usages and customs of the people of the Island. Generally speaking, all our troubles as to Cyprus seemed to be only beginning. He ventured to express a fear that if this Vote of £26,000 were passed it would only be a fleabite in comparison with what we should be asked to vote in future years. They had never yet received any statement of the views of foreign Governments as to our acquisition of Cyprus. The reason given for placing Cyprus under the Foreign rather than under the Colonial Office was that there were so many international questions arising with respect to it. Were these complications at an end? Were foreign Governments satisfied with the jurisdiction we had established there? If so, why was not the Island placed under the Colonial Office? The Under Secretary had been asked for any new Papers showing the necessity for this police force and the inability of the Island to maintain it; but the Government stated in reply that no such Papers were in their possession; so that, in fact, the Government admitted they were about to establish a larger police force per head in Cyprus than had been established in almost any other country without any Papers to justify such a measure.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to grant a sum of £26,000 for the Cyprus Police until a report from the authorities of the Island, showing the necessity for such expenditure, and a full statement of the finances of the Island, be laid before the House,"—(*Mr. Shaw Lefevre*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. BALFOUR said, that his hon. Friend who spoke last (Sir Charles W. Dilke) had so far taken the affairs of Cyprus under his special protection that he was not surprised he had gone again over a good many topics on which he had before addressed the House. He would not follow his hon. Friend's example in that respect; but two points had been mentioned as to which he thought an answer might be usefully given. The first was, that the government of Cyprus had been placed under the Foreign Office because complicated negotiations had been going on with foreign Powers as to their subjects resident in Cyprus, which negotiations could more advantageously be carried on by the Foreign Office than by the Colonial Office; but, argued his hon. Friend, those complications had been got over, and the government of the Island ought to be at once transferred to the Colonial Office. In that conclusion his hon. Friend was mistaken, as many and strong reasons existed to justify the government of Cyprus remaining under the Foreign Office. Then, again, his hon. Friend referred to a debate which took place in the House of Lords yesterday on the subject of slavery; and he stated that Lord Salisbury had made a mistake in saying that the existence of slavery had been denied, not only by the present government of the Island, but by Sir Garnet Wolseley. In that, too, his hon. Friend was in error, the fact being that, a considerable time ago, the existence of slavery in the Island had been distinctly denied by Sir Garnet Wolseley. With respect to the hon. Member for Reading (Mr. Shaw Lefevre), he was sorry that so much industry on his part, in ascertaining the proportion of police to population in all the countries of Europe, and also in India and our Colonies, should have been thrown away.

He regretted, too, that his hon. Friend the Member for Chelsea should have wasted so much time in stating that the flood-gates of expenditure in Cyprus had now been opened, and that this claim of civil expenditure would be followed by many others. All these calculations and prophecies were thrown away, and for this reason—that the £26,000 now asked for by the Government was not, strictly speaking, for civil expenditure. The first hypothesis adopted by the hon. Member for Reading—that it was for military expenditure—came much nearer to the truth than that adopted by him later on in his speech. There was, of course, no doubt that this expenditure of £26,000 was for a *quasi*-military purpose, and could not properly be said to belong to the civil expenditure of the country. Lord Beaconsfield was, therefore, right, when he said at the Mansion House that Cyprus would make no demand upon England in connection with civil expenditure. For what kind of uses would this force be required? It would be wanted to guard stores, perform escort duty, and, if necessary, to defend the Island. Who could deny that a body of men were required to fulfil these duties in Cyprus, or maintain that the force, which it was proposed to have, would be unnecessarily large for these purposes? There now remained two questions to be considered. Was the scheme of the Government economical and efficient for the purposes intended, and was it legal and constitutional? To answer the first of these questions, he would point out that the substitute for the scheme of the Government would be the presence of two battalions of regular soldiers, which would involve the expenditure of £70,000, which would fall on the Home Exchequer. Therefore, so far as economy was concerned, it was plain that the Government had pursued a judicious policy. As to the efficiency of the force, no doubt could be entertained by those who knew the class of men employed by the Government. He had now to consider how far the conduct of the Government was justifiable on legal and constitutional grounds. He admitted that Cyprus was in a somewhat anomalous position. It could not be denied that there might be difficulties and frictions connected with its administration; but these were outweighed by considerations of high policy. The question, however, was, had the Government, in its management of the affairs of Cyprus, violated either the letter or the spirit of the law? That they had not violated the letter of the law was admitted by hon. Gentlemen opposite; and no one, he believed, could justly contend that they had violated its spirit. He therefore maintained that, in the action which they had taken, the Government had not done anything which was in the least illegal or unconstitutional. It should be remembered that the force which they proposed to establish was not a military force, and would be under the control of Parliament. No one, therefore, could say that the liberties of this country were endangered by its existence. For the reasons which he had given, he held that ample justification existed for the Vote which his hon. Friend the Under Secretary of State for Foreign Affairs would propose at a later hour in the evening.

MR. T. BRASSEY said, they were asked to vote a sum of money for the maintenance of this police force in Cyprus because we had burdened our administration of the Island with a financial obligation of a most onerous character. The amount of the tribute to be paid to the Porte was £115,000, out of a total Revenue of £175,000—a Revenue which represented the extreme sum which the most despotic Government could extort from an oppressed people. He very much regretted that we had taken upon ourselves the unworthy office of tax-gatherers for a foreign Power. Of the sum of £60,000 which remained at the disposal of the local Government in Cyprus, the surplus available for works of public improvement amounted at the utmost to £15,000 a-year. Englishmen, he was glad to say, felt a desire to carry out those improvements in the system of government which were shadowed forth by the Chancellor of the Exchequer at Birmingham, and it was impossible to carry out those humane designs without an expenditure of money. It was clear that the necessary sum was not forthcoming from local resources, so that it was very natural that the Government of Cyprus should make an effort to insinuate into the Estimates laid before the British Parliament a Vote which, under whatever designation it might present itself, would be, practically, a contribution from the National Exchequer towards the local Revenues of Cyprus. They might call this a police force, or whatever they pleased; but he was quite satisfied, from what he had seen of the docile habits of the people of Cyprus, that the proposed force was not required to guarantee public order, and, therefore, he felt sure that the intention was to employ men composing it in a variety of civil duties. The long-neglected Island presented an infinite field for the work of improvement. He ventured to urge upon the Government that they should take steps to amend the Convention into which they had entered, and relieve the local Government of Cyprus from the burden of an annual tribute to the Porte. While urging this upon them, he was very sensible of the fact that there was really no military value attaching to Cyprus. He could not, however, entertain the thought of abandoning the people of the Island, after the encouragement given them to rely upon British protection. Although the bargain which we had made was not a favourable one from a British point of view, he held that it was our duty to take immediate steps to improve the position of the local Government of Cyprus.

Mr. BOURKE said, he could not object to the general tone of the observations which had been made by the hon. Member for Hastings, who had preceded him; but he must object to a line of criticism which would not admit that Her Majesty's Government, having taken possession of Cyprus on high grounds of policy, were not justified in the line which they had adopted and followed. England having made up her mind to occupy and administer Cyprus, they could not recede from their bargain; and the question was whether the financial arrangements made was not the best, and, in fact, the only arrangement that could be made. That arrangement was that England was to give to Turkey only that which Turkey had got before; and unless we had broken the Treaty of Paris and violently taken possession of Cyprus it was not possible to come to any other arrangement. It was possible, perhaps probable, that in the future better arrangements than existed at present might be made for the government of Cyprus; but as long as the present arrangements existed he could not see how it was possible to alter the state of things which had been agreed upon between this country and Turkey. What he complained of was that, before the Island had been occupied 12 months, every conceivable Vote in connection with the place had been exaggerated, and if the prosperity of the Island was a success it would not be owing to the good wishes or good-will of the Liberal Party in that House, who had done their best to disparage everything connected with the Island. In the face of all this, he had heard with pleasure the good wishes which had been expressed by the hon. Member for Hastings for the future welfare of Cyprus, and could not refrain from expressing his regret at the tone which had characterized the remarks of the hon. Baronet the Member for Chelsea, who was always ready to listen to and to believe the complaints which came from the people of any country between China and Peru who, being subject to British rule, were disaffected concerning it. The view which the hon. Baronet had expressed on the present occasion was based upon a misapprehension, and upon the existence of exceptional circumstances, as he believed the hon. Baronet would see when he came to read the Papers which would be laid before Parliament on the subject. He should not, on the present occasion, enter upon the broad question of whether it was or was not wise for England to have taken possession of the Island; but, having so taken possession, he thought the House would agree with the hon. Member for Hastings in thinking that it was the duty of England to do the best it could in the circumstances. As far as the question of slavery in Cyprus was concerned, he had nothing to withdraw from what he had already said on the subject. He was told that slavery did not now exist, and that the Courts of the Island had not given effect to any demand for the holding in involuntary servitude any person in the Island. There was no intention on the part of the Government at the present moment to propose a large expenditure for Cyprus. With regard to the Papers which the hon. Baronet the Member for Chelsea had asked for that Session, the accounts had not come home from Cyprus nearly so fast as Her Majesty's Government thought they would have come; but he should be happy to produce such as he could for the inspection of the hon. Member for Chelsea. He was sorry to think that the promise he made of a financial statement in regard to the affairs of Cyprus before the end of the Session might not be fulfilled; but that would arise from a complication in the manner of keeping the accounts which had been found to be necessary, but could not possibly have been foreseen. The views of a correspondent of *The Cologne Gazette* had been quoted as against the policy which Her Majesty's Government had pursued; but he could not for a moment think of treating seriously opinions of the kind, as they knew more about the Island than a newspaper correspondent. At the same time, the greatest attention had been given to every statement made by the hon. Baronet the Member for Chelsea; and he (Mr. Bourke) thought it would be admitted by everyone who had perused the Papers that these statements had been substantially refuted. The greater portion of the speech of the hon. Member for Reading appeared to be based upon the supposition that the Vote which Her Majesty's Government asked for was in the same shape in which it had appeared some time ago. That supposition, however, was not correct, as the hon. Gentleman himself had been compelled to admit. In common fairness to Her Majesty's Government everyone should bear in mind that when this Vote was first put down in the month of November the Island of Cyprus had only been in the occupation of the Government for some five months, and that, consequently, it was impossible for them to know at that time exactly what were the requirements of the Island, and what description of permanent force it would be necessary to maintain there. The question between the hon. Member and Her Majesty's Government was a very small one, because the force employed in the Island would have to discharge both military and civil duties. As had been pointed out by the hon. and learned Member for Oxford and others some time ago, there were technical and legal objections to the form of the Vote as it originally stood. Its form had, however, been changed, and he trusted that it would now be presented to the House in a perfectly legal shape. It now took the form of an estimate of the amount required for the year ending March, 1880, to defray the additional expenditure thrown upon the Government of Cyprus in consequence of the augmentation of the police force, rendered necessary by the reduction of the military garrison in the Island. As it had been intended to employ the military force it was originally proposed to keep in the Island in civil duties, so now it was intended to employ this augmented police force in discharging Imperial duties, such as those entailed in defending the Island, and other military duties; and, therefore, it was only fair that the funds for paying this additional force of police should be provided out of the Imperial Exchequer. A large number of the force would be employed in escorting treasure from one part of the Island to the other. [*A laugh.*] It was all very well for the hon. Member for Reading to sneer at that statement; but it was a duty that had to be performed, and officers and official persons were often employed on it, and it was certainly an Imperial duty. There was already a police ordinance; and though it might require amendment in regard to the regulation of this additional force, yet it would be placed substantially in the same category as the present police force. There was no legal objection to the proposal which any hon. Member could bring forward, and he could quite well understand the disappointment of hon. Gentlemen opposite when they found that the Vote was denuded of such objections. No one who had the good government of Cyprus at heart could doubt that the proposal of the Government was a fair one, and that it would contribute very much to the prosperity of the Island, and to the good administration of every branch of the Service.

SIR WILLIAM HARCOURT said, they had had two accounts of the proposed Vote—one from the Under Secretary of State for Foreign Affairs, and another from the Private Secretary to the Secretary of State for Foreign Affairs; and, having heard the explanations, he was disposed to ask, in the celebrated phrase, "Under which thimble lies the pea?" He had never known of an attempt to palm off on the House of Commons a Vote which was so utterly unsatisfactory as this. What did it come to? It was a piece of financial jugglery, deliberately done by the Government. They admitted that they had kept the Vote upon the Estimates from February till the 21st of July, and that it was an utterly illegal and unconstitutional Vote. They had endeavoured to smuggle through the Civil Service Estimates a military Vote, in defiance of the first principles of the Constitution. Having been challenged months ago on this subject, they went on with it and stuck to it; and it was only through the pertinacity of the hon. Member for Reading that they had been driven out of that position. They had asked for money, in defiance of a well-known financial principle by which the House was governed, and in the teeth of the Army Discipline and Regulation Bill, which forbade them to enlist aliens; and yet, all the time, they had had on the Table a demand upon the House to vote this money. Finding that they could not justify it as a military pioneer force, they had put the pea under another thimble and called it a Vote for the Cyprus police, and then, with great ingenuity—and he might say ingenuousness—the Private Secretary of Lord Salisbury said it was all the same thing, and the Under Secretary said it was almost the same thing. These men were "to take the place of a military force"—these were the words of the Under Secretary—and when it came to be challenged that they were the same thing as the pioneer force the hon. Gentleman said that was nothing. The fact was that the Government were proposing to juggle the House by a mere play of words into voting under one name money for an object which was illegal under another name. He never heard of such a thing in the House of Commons; and it had not been attempted for generations or for centuries. The Government might have a majority at their backs to support them in passing this Vote; but there was an ulterior judgment, far beyond their majority, which would have to be passed upon the question of Cyprus, and he was not afraid of that ulterior judgment. What was the state of public opinion and the position of the House with regard to Cyprus 12 months ago? They were not then attempting to get up a miserable pioneer force; on the contrary, they were sending Sir Garnet Wolseley at the head of 10,000 men to occupy and defend the Island. It was a high policy then, for they were going to regenerate Asia Minor, and Cyprus was to be the fulcrum by which they were to move the world. The noble Lord the President of the Board of Trade said that the whole of the East were exclaiming, "When are you coming?" The noble Lord seemed to be playing on the bagpipes, "The Campbells are coming." Under the direction of Her Majesty's Government the whole of the East was going to be regenerated. Steam ploughs were to be introduced into Cyprus and reforms into all Asia Minor. What had now become of these steam ploughs and reforms? What had become of the emporium of steam ploughs to be established in Cyprus, and of all the farthing rushlight illumination of 12 months ago? It was flickering in the socket, and was giving out a savour which was not agreeable. And now they were in the dregs on the lees of the Anglo-Turkish Convention, and they were at present engaged with a miserable juggle of a Vote for £26,000 to eke out the glorious occupation of Cyprus. There they were, with the Government on its last legs, shifting about under one name and another in order to squeeze that sum out of the taxation of the country for the purpose of keeping this miserable abortion of Cyprus upon its legs. And that was the result of 12 months of the great policy undertaken for the regeneration of Asia Minor. The Government assured them that they would ask for no more money on behalf of Cyprus; but what had become of the great Famagousta harbour scheme, where the Fleets of England were to ride and dominate the East? Nothing had been said of that by the Under Secretary. It was reasonable, when the House was asked for £26,000, to inquire what was the financial situation of Cyprus? The Under Secretary gave no answer. It appeared that those admirable administrators, who were to set an example of model farming to Asia Minor, had not sent home any accounts, the reason being that the juice of the orange had been given to someone else, while these unfortunate officials had been left to do what they could with the rind. Her Majesty's Government had been in such a hurry to acquire Cyprus that they were willing to give any price for it—to pay away its whole available income. And why? Because they signed a sort of Salisbury-Schouvaloff Memorandum, They bought a pig in a poke, and when they opened the poke they found a very bad pig indeed. What was the end of it all? They had this wretched Vote, which seemed to him nothing less than the catastrophe of a diplomatic farce. Last October, the Chancellor of the Exchequer assured the people of Birmingham that he had a pocketful of statistics about Cyprus, and that he was going to give us a Cyprus Budget; but the Under Secretary now said that he had got no materials. The Chancellor of the Exchequer spoke to the people of Birmingham of the "Returns which were made out of the estimated Revenue of Cyprus." Where were these statistics and Returns? [Mr. BOURKE: I stated them.] Stated them! That was not the way to make a Return. The statements of the Under Secretary had been most cautious, reserved, and, as regarded that night at least, ambiguous; but the House wanted the statistics and Returns which the Chancellor of the Exchequer quoted last October. If there were such Returns they ought to be brought forward to show the solvency of the Island. The Prime Minister, speaking at the Mansion House, said—

> "Perhaps it will not be uninteresting to the citizens of London to learn that Cyprus will be no burden to the people of this country."

But the poor citizens of London would learn a different fact when this Vote was brought before them. There was a great deal of that sort of "bunkum" going on about July last year; and the Prime Minister added that the Revenues of the Island would not only pay the Sultan, but would also defray the cost of its civil government. Well, either Cyprus did not pay for its civil government, as the Prime Minister said it would, or this Vote ought to be in the Military Estimates. That was the dilemma. This was a military Vote. [Mr. BALFOUR: A *quasi*-military Vote.] The Under Secretary had said that something was "almost a quibble." Well, he would not call what his hon. Friend had said "almost a quibble," but a *quasi*-quibble. What was the view of the Chancellor of the Exchequer, who was the guardian of the finances of the country, of this "*quasi*-military Vote?" Ought it to be in the Military Estimates, or the *quasi*-Military Estimates; and when would the right hon. Gentleman produce his *quasi*-Supplementary Estimates? He should be extremely curious to know what was the view taken by the Chancellor of the Exchequer of this *quasi*-military Vote. There had been no information on the subject which had not been dragged out of the Government with the greatest possible difficulty; and he thought it impossible for the House of Commons to vote money for this new settlement under the circumstances, after the assurance of the Prime Minister and the Chancellor of the Exchequer that nothing would be required for its maintenance. He was glad the matter had been brought forward in that form, because he did not believe there was anything which was more likely to enlighten the people of this country as to what the character of the transaction had been from first to last. The Government had split the amount they now required, first into one thing and then into another, and when they were asked to say what was the financial position of the Island they said they had no Reports and could give no information. Either this was a military body or it was not. If it was a military body it should have been raised in a proper manner; and if not, the Government should show that it was a civil force. It seemed to him that it had been a *quasi*-military affair from the beginning, and had never any substance in it. It was meant to throw dust in the eyes of the country, and would come to grief, just like the Anglo-Turkish Convention on to which it was tacked.

THE CHANCELLOR OF THE EXCHEQUER said, he could not help remarking that the hon. and learned Gentleman the Member for Oxford was chargeable with one very monstrous vice—he meant the vice of ingratitude. The hon. and learned Gentleman was really more ungrateful to the Island of Cyprus than he could have conceived possible, for that Island had furnished the hon. and learned Gentleman during the last 12 months with all sorts of excuses for making grand speeches and for saying good sayings. The hon. and learned Gentleman ought really to be very grateful to the Island of Cyprus, for, in his speeches, he had prophesied all sorts of misfortunes and failures; but the failures had ended in the failure of his predictions. Probably, the hon. and learned Gentleman might keep it up a little while longer by great force of ingenuity and a grand selection of words; but he thought that those who laughed the last would probably laugh the longest. The last failure which he seemed to cling to was the supposed failure of something that had been said about the Island of Cyprus; but he (the Chancellor of the Exchequer), on the part of the Government, was quite prepared to appeal to the not very distant future as to the working of the experiment which was being tried in the Island of Cyprus. Hon. Members had wandered so far from the original Motion of the hon. Member for Reading (Mr. Shaw Lefevre) that it was desirable to recall their attention to it. Upon that Motion there had been founded a series of discussions upon almost every possible subject in connection with Cyprus. Reference had been made to a speech delivered by him at Birmingham last October. What he then said was to the effect that, according to the accounts received from those who were inquiring into the Revenues of Cyprus, the Government gathered that the civil administration of the Island would be without cost to this country, though he did put in a word of caution, and remarked that, possibly, in the first year, some expense might be thrown upon us. Hon. Members were well aware that the original idea of the Government, in entering into the arrangements for the occupation of Cyprus, was that we should have a position which would be important as a military and naval position, and as a place of arms, and which would be of great importance in that part of the Levant, because it would enable us to fulfil obligations that we had entered into on behalf of the country with regard to Asia Minor. We did not propose, in the step we were taking, to injure or detract in any way from the advantages which the Sultan derived from the Island. We held that it would be possible for us to undertake to make a bargain by which we could leave the Sultan in as good a position as he previously occupied in regard to the revenues from Cyprus; while we undertook to maintain the government of the Island, without any expense to this country, out of the revenues to be fairly extracted from the people of Cyprus. Of course, if we were to make use of Cyprus for purposes of our own as a place of arms, that would involve military expenditure altogether outside of the administration of Cyprus itself. One of the first steps the Government took was to send out to Cyprus a gentleman of considerable financial ability to report upon the financial condition of the Island. That gentleman sent home a preliminary Report, from which he took the figures that were given in the speech that had been referred to. Speaking from memory, they had from that gentleman a statement that they might expect from one source so much revenue, and from another source so much; that the expenditure for purely civil purposes would be a certain other amount; that the surplus would be the sum to be paid to the Porte; and it appeared that by better administration, by taking care that the revenue levied from the taxpayer should find its way into the Treasury, and remain in the hands of middlemen, they would be able to defray the cost of the civil administration, and still to pay the tribute due to the Porte. He had himself been a little sceptical, and for that he had been thought to take a rather gloomy view; he had been a little sceptical as to the first year, supposing that there might then be a difficulty in making ends meet in regard to the civil administration. But as to the military expenditure, that, of course, was put in quite a different category. They were occupying Cyprus for their own purpose, which was a military purpose, and they thought it was right that they should defray out of the Expenditure of this country the charge for maintaining a proper military force in Cyprus. Therefore, in his statement, and in those of the Prime Minister and others, there was always an exception made as to the military expenditure in the prospect they held out of Cyprus paying its own way. Then they came to the question of what the military expenditure was to be. His right hon. and gallant Friend the Secretary of State for War informed them what would be the establishment which he contemplated maintaining there; but when the matter came to be more carefully considered it appeared that it would not be necessary or advisable that that amount of English force should be kept in Cyprus in present circumstances. But, inasmuch as that force would have discharged various duties of a military character, of course, some provision had to be made for the performance of those duties. Accordingly, it had been in contemplation to have a force which would have been called the Cyprus pioneers. That stood upon the Estimates for some time. He need not now go into the circumstances in which it was found that that would not have been the proper or a legal step to take; but another arrangement was made which brought the matter into the form in which it now appeared on the Estimate. Whether they called it civil or military expenditure, it was expenditure incurred in consequence of the withdrawal of the troops which it was originally intended to keep in the Island, and which would have relieved them from the necessity of employing this force there, whatever name they pleased to give it. They were asked to say what was the precise financial position of Cyprus at this moment, and why they did not produce the accounts which had been rendered. He was not sure how the matter stood as to the sending home of those accounts. He knew that they had been asked for, and that they were very anxious to see them at the Treasury; but he knew, also, that there had been a good deal of difficulty as to the negotiation. The nature of the bargain was necessarily one involving some delay. They were to pay the Porte the average surplus of the Revenue of Cyprus over its Expenditure in past years. That seemed, at first sight, a very simple thing to ascertain; but when they came to deal with a country like Cyprus, and with a system such as had prevailed there of late years, it was not so easy to get at the exact sum. It could not be furnished by return of post. They had to go into a number of questions, some of which were very complicated. They had to ascertain in what mode the remittances were made; to verify the nature of those remittances; learn the currency in which they were made, and the rate at which the payments to the Porte were fixed. It was easy to say that such and such a service cost 10,000 piastres; but how were they to ascertain what a piastre was—whether it was in coin or in paper; whether it was to be reckoned at one rate of exchange or at another? All those things took time to adjust; and when they had to deal with Orientals in those matters they could not proceed with the same rapidity as when the Treasury dealt with the Admiralty or the War Office. Even in transactions between the Treasury and the Indian Government considerable time elapsed before they got at the exact state of the accounts. And when they had to go into a settlement between the British Government administering a Turkish dependency on British principles and the Turkish Government, the number of questions they had to solve took more time than one might be apt at first to suppose. They had, therefore, a right to appeal to the consideration of Parliament and of the country in the whole of those matters in relation to the improvement and the reform of the administration of Oriental countries. Why, what was the theory on which they were proceeding? That theory was, that there existed great abuses of long standing, thoroughly ingrained and very difficult to unravel, and that they desired to get rid of those abuses and to introduce a better system. If they wanted to introduce radical reforms they must go patiently into those questions; and the very fact that there were so many of those abuses to be corrected proved the difficulty of the work they had undertaken, and also indicated the great advantage that would be derived from its accomplishment. He ventured to say that when they looked at Cyprus some few years hence they would find that a great and good work had been done in the early years of their administration. He said that those who had been administering the Island during the last 12 months had done a work which would bear comparison with the achievements of many founders of States and legislators in bringing about great reforms. It was not because they might pick a hole here, or another there, or because they might receive a letter from some discontented person who might have had an interest in the retention of the old system, and who cried out at what was being done—it was not because of such things that they were to condemn their own Government, which, amid many difficulties and all sorts of misapprehensions, was endeavouring to correct those evils. It had been said, in the course of the debate, that it was a condemnation of their system of Native police that they had to punish and imprison five or six zaptiehs and bring them into order. Why, the case always made against the Turkish Government was that the zaptiehs committed abuses and excesses here and there, and ought to be brought into order. Well, they were now trying to bring them into order, and in what way? By punishing them for their excesses; and when five or six offending zaptiehs were so dealt with they were told that they were administering a wretched system. Those things were just proofs of the difficulties they had to contend with, and also of the resolution of the administrators who had to grapple with them. And when hon. Gentlemen might criticize their proceedings—and he did not dispute their right to do so—they ought to assist them in putting an end to those abuses, rather than to pick up the complaints of every discontented person in Cyprus, and take the truth of those complaints for granted. He thought that the experiments they had been trying and the progress they had made would be viewed very differently, when it came to be read by impartial critics, than it now appeared to be regarded by hon. Gentlemen opposite.

Mr. CHILDERS said, that the Motion and the speech of the hon. Member for Reading might be resolved into two parts—first, the propriety or the impropriety of this Vote; and, secondly, a complaint that the Government had not fulfilled their promise as to placing before the House proper accounts of the Revenue and Expenditure of Cyprus. On the first question—the propriety of the Vote—the Chancellor of the Exchequer had admitted most fully what those who had preceded him in the debate had admitted in a less degree from the other side. The hon. Member for Hertford (Mr. Balfour) had invented the phrase "*quasi*-military Vote." The Under Secretary of State was a little more courageous, and said that the persons who were to be paid out of that Vote were doing military duty in maintaining the authority of the Government, in escorting treasure, and in occupying the position. The force was to perform precisely the duties that a military Force would have had to discharge; and, therefore, this Vote was *simpliciter* a military one, and Her Majesty's Government had consequently invaded the Rules of the Constitution by placing it among the Civil Estimates. The Chancellor of the Exchequer talked about a *quidpro quo* for the Sultan in regard to the occupation of Cyprus; but, last year, it had been asserted that the Island of Cyprus had been handed over to us by the Sultan as an equivalent for our defending his Asiatic possessions. The Government never condescended last year to such an argument as they had used to-day, an argument which, in effect, was that this was, after all, only a financial question, and that we were a species of political tenants paying as a rent this protection of the Island. Although the Government had had in their hands for the last nine months the estimates of the Revenue and of the Expenditure of Cyprus, they had not laid a single Paper in reference to the matter upon the Table of the House, the only excuse they offered for not doing so being that they had not quite settled the exact sum that was to be paid to the Sultan. Parliament had not been put in a fair position, in being asked to vote in a Civil Service Estimate, without any information as to the purposes for which it was needed, what was really a military charge. In his opinion, the hon. Member had completely made out his case against the Government, and he hoped that the House would take the same view of the matter.

Question put.

The House *divided*:—Ayes 99; Noes 72: Majority 27.—(Div. List, No. 198.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

Supply—*considered* in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That a sum, not exceeding £154,995, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Expenses of Her Majesty's Embassies and Missions Abroad."

Sir CHARLES W. DILKE said, several hon. Members who had left the House were, as well as himself, under the impression that the Vote for the payment of Exchequer Bonds would be taken before the Civil Service Estimates were proceeded with; and it was, he thought, desirable that the arrangement, which he understood had been entered into, should be adhered to.

Motion, by leave, *withdrawn*.

(1.) £2,500,000 Exchequer Bonds, *agreed to*.

CIVIL SERVICE ESTIMATES.

CLASS V.—COLONIAL, CONSULAR, AND OTHER FOREIGN SERVICES.

(2.) £154,995, to complete the sum for Diplomatic Services.

SIR CHARLES W. DILKE took occasion to call the attention of the Committee to the amounts which they were asked to vote for the Embassy at Berlin and the Legation in Switzerland. Having served, he said, on the Committee which sat two years ago to inquire into the subject of diplomatic salaries, he had come to the conclusion that no reasonable grounds existed at the present time for the difference which was maintained between the salaries which were paid to the members of certain Embassies and Legations and those which were paid to others. He would now offer no opinion on the general scale of diplomatic salaries; but he wished to point out to the hon. Gentleman the Under Secretary of State for Foreign Affairs that the salary which was paid to our Ambassador at Berlin was, so far as he was able to form a judgment in the matter, too low as compared with those of some of our other Ambassadors. He saw no good reason why that should be so, because the cost of living was not, he believed, less in Berlin than in any of the other European capitals. He was also of opinion that the salaries which were paid to the members of the Legation in Switzerland were very much too small as contrasted with the allowances which were made to the members of other Legations of the same rank. He would not now discuss the expediency of reducing the allowances for all our Embassies; but would simply confine himself to drawing the attention of the Under Secretary of State for Foreign Affairs to the difference which he had mentioned, and which he thought ought not to be allowed to continue, for it seemed clear to him that either the sums expended on other Embassies and Legations were too high, or that the amounts which the Committee were asked to vote for the Embassy at Berlin and the Legation in Switzerland were too low.

MR. BOURKE said, the question which the hon. Baronet had raised was one of considerable interest. The Embassy at Berlin was, no doubt, a very important one, and it was the fact that the salaries paid to the members of that Embassy were less than the allowances which were made in the case of the Embassies at Paris, or St. Petersburg, or Vienna. He was not, he might add, by any means prepared to contend that it might not be fair to raise the salaries of the members of the Berlin Embassy; but the difference to which the hon. Baronet had called attention had existed for a long time, and it did not seem to the Government to be desirable to make any change in the amounts paid to the various Embassies at present. They were also of opinion that they would scarcely be justified in asking the Committee to vote a further sum of money for the purpose of increasing the salaries of the members of the Swiss Legation.

MR. RYLANDS said, the speech of the hon. Gentleman furnished another illustration of the manner in which Under Secretaries of State for Foreign Affairs invariably dealt with criticisms on the Diplomatic Estimates. They, and, indeed, all the officials connected with the Foreign Office, appeared to be of opinion that the scale at which diplomatic salaries had been fixed should be maintained, although circumstances might have entirely changed. He understood his hon. Friend the Member for Chelsea (Sir Charles W. Dilke) to desire to call attention to what was patent to every hon. Member, that a very considerable change had taken place in the position of our Embassies in the different capitals of Europe, and that the salaries of our Ministers in some of those capitals did not bear that proportion one to another which they ought. He did not, however, understand his hon. Friend by any means to contend that the salary of our Ambassador at Berlin should be raised, but that that should be done only in the event of its being shown that the salaries of our Ambassadors at the other Courts of Europe were not too high; for if they were they ought to be lowered. His own opinion was that the salaries paid to those Ambassadors were too high; and he would suggest that, instead of raising the salary of the Ambassador at Berlin, the salaries of the Ambassadors at Paris, and some of the other capitals of Europe, should be reduced to the level of that which the Ambassador at Berlin received. The case of Paris appeared to him, he might add, to be a somewhat curious one. The position of that city had undergone a complete change within the last few years. The main political influence of Europe, which at one time was centered there, was now centred in Berlin; yet we continued to keep up in Paris an Embassy at an enormous expense, instead of reducing the charge to the amount which we expended on our Embassy at a Court where the political influence was at least equal, if not much greater. He might also take the case of Constantinople in support of the view which he desired to impress on the Committee. The political character and power of the Porte had recently undergone a very great change indeed. No one would, for a moment, argue that the position of the present Sultan had not been greatly impaired as compared with that which was occupied by his Predecessors on the Ottoman Throne. Yet we still maintained at Constantinople an enormous Embassy. It was, perhaps, the most expensive of all our Embassies. He found that our Ambassador in Turkey received a salary of £8,000 a-year, and that he occupied a palace of great magnificence. He was aided in the discharge of his duties by a principal Secretary of Embassy, who had a salary of £900 a-year. There were, besides, three second Secretaries of Embassy, a third Secretary, a physician, a chaplain, and a number of other officials. Then there were miscellaneous expenses which had to be provided for, and the result was that the amount expended on the Embassy at Constantinople exceeded, if he was not mistaken, the charge borne on the Estimates in connection with any Embassy in Europe. Now, he had some years ago induced the House to appoint a Committee before which the whole question of our diplomatic expenditure was brought; and he was quite prepared to believe that that Committee had done a certain amount of useful work. He could not, at the same time, say that the expenditure on account of the Diplomatic Service had been reduced. We paid our Ministers abroad salaries far larger than those which were paid to their Ministers by any other country in the world; and he was strongly of opinion that the time must soon arrive when another review must be taken of the scale of our expenditure for the Diplomatic Service, and when the question must be considered how far the great changes which had taken place in Europe rendered it the duty of the Government to reduce the charges on account of our Embassies and Missions abroad. A considerable reduction might, he felt satisfied, be made in many cases with advantage; while, in other cases, no doubt, it might be found that the present establishments did not go beyond what was expedient and desirable. But although, on examining the Vote, he was by no means satisfied with its general character or the total expenditure on the Diplomatic Service, he did not think it was necessary, or that it would be advantageous, to challenge a Division upon it at that moment. He could not ignore the fact that this was a moribund Parliament, and he did not think it would be well to have questions such as those to which he had been referring investigated now that the present House of Commons was so near the end of its existence. He could have no expectation, at all events, that the present House would enter upon the subject in the spirit of reform and economy. He could only hope that the next House of Commons would contain a larger number of economists, from whom a Motion for the reduction of our Expenditure would receive a more favourable reception than could now be expected from it.

Mr. BOURKE said, that the fact of the matter was, as the hon. Gentleman who had just sat down must be aware, that although the Vote might look large upon paper it had been found impossible to reduce it. The Diplomatic Service, as a whole, was badly paid; and he did not think that any Government, taking into account the duties which had to be performed, and having due regard to the interests of the country, could say that our Representatives at foreign capitals should not be liberally remunerated and enabled to maintain a position of becoming dignity.

Mr. CHILDERS asked for an explanation of the item of £3,000 for providing a new steamer on the River Tigris. The item was one, he thought, which ought to come under the head of the Consular Expenditure, as the matter was connected with the duties which were discharged by our Consul General at Bagdad.

Mr. BOURKE said, the right hon. Gentleman was probably a better authority than himself on the question of whether the item should be placed in the Consular or Diplomatic Vote, but the point was one of only minor importance. As to the steamer on the Tigris, the right hon. Gentleman was aware that we had had a ship on that river for many years. The old vessel had become worn out, and it was anxiously desired by the Indian Government that she should be replaced. Her Majesty's Government, after carefully considering the communications which they had received on the subject, thought it their duty to insert in the Estimates the sum of £3,000 as a contribution to the building of a new ship; but that was not to be an annual Vote.

Vote *agreed to.*

(3.) £184,597 to complete the sum for Consular Services.

SIR CHARLES W. DILKE said, he found no mention made in the Estimates of a salary for a Consul at Philippopolis. There was an item for the salary of a Vice Consul; but that was an old item. The salaries of some of the new Consuls were given, but not those of all of them. Was it proposed to have a Supplementary Vote?

MR. BOURKE said he had stated some time ago, in answer to a question which had been put to him in the House, that several new Consuls had been appointed, and he thought the provision made for their salaries in the Estimates would be sufficient, without having recourse to a Supplementary Vote. It would, of course, be the duty of the Government to propose a Supplementary Vote, if necessary.

MR. CHILDERS reminded the Under Secretary of State for Foreign Affairs that a Return had been promised with regard to the Anatolian Consuls before the Estimates were made; but that no such Return had been laid upon the Table of the House. Looking at the multifarious duties of the Foreign Office, he would be the last to blame the hon. Gentleman for this; but thought it was only right that the House of Commons should have placed before it, before the end of the Session, a Paper showing the changes which had taken place in the Asiatic Consulates as a result of the Treaty of Berlin.

MR. BOURKE promised that a Paper should be laid upon the Table. The Government were rather anxious that the spheres of the Consuls in the districts referred to should from time to time be changeable.

SIR JULIAN GOLDSMID said, it was not satisfactory that the House should vote money for Consulates, such as Bosnia and Cyprus, which had been abolished, in order to apply it to others the Government proposed to establish, with regard to which the House had no information.

SIR GEORGE CAMPBELL said, several Consular appointments had been made to Anatolia and Roumania which had not been gazetted. He complained that the Committee should be called upon to vote money for Consulates that did not exist, and no money for those which were in existence. He trusted the hon. Gentleman the Under Secretary would furnish the Committee with the best information in his power with reference to the salaries proposed to be given to the Consuls in Anatolia and Roumania and Paphos in general terms, and would also state who were the Consuls proposed to be appointed to these districts.

MR. BOURKE believed that two of the Consuls in Anatolia would receive salaries of £800 and £900, and the others £400 and £500 a-year.

MR. RYLANDS had to call the attention of the hon. Gentleman to another part of the world. He had not expected that this Vote would come on that evening, and had given Notice of a Question which it would, perhaps, be more convenient to ask now in order that the Under Secretary might have an opportunity of making an explanation to the Committee which would probably be satisfactory to them. The case, which was altogether a peculiar one, had reference to the Consul General in Siam. He was informed that, on a recent occasion, the King of Siam flogged one of his Ministers—a circumstance, probably, of very little interest to the Members of the House. Now, it so happened that this Minister of the King married the daughter of the Consul at Bankok; and the Consul, feeling that British interests were seriously affected in consequence of his son-in-law, the Prime Minister of the King of Siam, having been flogged, immediately ordered up from Singapore the *Foxhound,* one of Her Majesty's gunboats. This vessel arrived and anchored off Bankok in order to make some demands to satisfy the wounded honour of Great Britain. He had put a Question to the Under Secretary some time ago upon this subject, asking him whether there was any truth in the statement which had been made, and the hon. Gentleman said, in reply, that the information was correct, that some difference existed between the Consul General and the King of Siam; but he did not give the House any information as to the particular facts. According to the information which he (Mr. Rylands) had, and which he believed to be correct, this state of contention between the Consul General and the King continued, and the *Foxhound* was still lying off Bankok to support the Consul General for some object or other. He was also informed that the Consul General had marked his serene displeasure with the conduct of the King by giving orders that the officers of the gunboat should not receive courtesies from the Siamese nor pay to them any courtesies whatever, and that a garden party having taken place which was visited by some of the ship's officers in undress, the Consul General, on hearing of it, issued a prohibition against the officers visiting or inviting the Siamese. He, therefore, wished to ask the Under Secretary of State for Foreign Affairs, Whether it was a fact that the son-in-law of the Consul General having been flogged by his master the King of Siam, a British gunboat had been sent up to Bankok, and whether it was a fact that a considerable amount of ill-feeling had been caused by that transaction? In his opinion, the Consul General had exceeded the duties of his office, and the Committee had a right to complain that one of Her Majesty's gunboats had been used in this matter, unless there was some reason for the act other than had appeared.

Mr. BOURKE could not state whether the circumstances related by the hon. Member for Burnley (Mr. Rylands) were true or not, although they were, probably, substantially correct. It was correct to say that the Consul General did order up a gunboat; but it had since left Bankok. Her Majesty's Government were quite alive to the necessity of the strictest investigation into the conduct of the Consul General.

Sir CHARLES W. DILKE asked whether the Consul General had, of his own accord, sent home any Report of the case before an explanation was asked for?

Mr. BOURKE said, he thought a Report had been received.

Vote *agreed to.*

(4.) £32,401 to complete the sums for the Colonies, Grants in Aid.

Lord FREDERICK CAVENDISH called attention to the item under sub-head L. He believed that Sir Bartle Frere no longer held the office of Her Majesty's High Commissioner for South Africa and Governor-in-Chief of the Cape and Griqualand West; but the Estimates, nevertheless, provided for his salary. Sir Garnet Wolseley having gone out to the Cape as High Commissioner to the seat of war and also to Natal, he asked what effect would that change have upon the Vote?

Sir MICHAEL HICKS-BEACH said, the office continued to be held by Sir Bartle Frere in South Africa, except as to that part which was connected with the seat of war, where the functions of the office were, of course, transferred to Sir Garnet Wolseley. Sir Bartle Frere was still the Governor and High Commissioner of the Cape and Griqualand West, with respect to which his functions remained, practically, what they were before. The Vote, therefore, remained at the same figure as formerly.

Mr. GOURLEY asked for information with respect to the sum of £1,500 for the government of the small Island of Heligoland. He also remarked that the same amount of £3,000 was charged as formerly for the steamer on the African coast, and thought that, inasmuch as there was a very large number of small steamers in connection with the Admiralty lying at various places and rarely used, he did not see why one of them should not be sent out to the Coast of Africa. He thought the time had come when the class of vessels used on the Coast of Africa might be revised by the Admiralty.

Sir MICHAEL HICKS-BEACH said, the several places on the Coast of West Africa under the jurisdiction of the Government of Sierra Leone could only be conveniently reached from Sierra Leone by sea; and it was, therefore, necessary that the Governor should have a steamer at his disposal, of which he made excellent use for ascending rivers into the interior, opening up those rivers, and establishing friendly relations with the Natives. The Island of Heligoland was, no doubt, a small possession of the Crown; but it was a possession which, he ventured to say, this country would not readily give up, while he was quite sure the inhabitants of the Island would be very sorry to see it given up. He did not think the small sum annually voted in aid of its government could be regarded as excessive.

MR. W. H. JAMES thought the Committee were entitled to information of a more definite character with regard to the salary of Sir Bartle Frere than had been afforded by the right hon. Gentleman. He asked, in the event of Sir Bartle Frere not resuming the position which he formerly held by the end of the present year, whether his salary would remain the same, or whether the residue would be paid to Sir Garnet Wolseley? The right hon. Gentleman had mentioned that the expenses would be equally great; but it must be borne in mind that the duties and responsibilities of the office would be infinitely less under the present arrangement.

SIR MICHAEL HICKS-BEACH had said that the arrangement made when Sir Garnet Wolseley was sent out must be looked upon as temporary in character. The question now asked was one which it was impossible for him to answer. Everything would depend upon events. He trusted to see Sir Garnet Wolseley soon complete the work which he had been sent out to do, when it would become necessary for the Government to decide how the Commissionership should in future be arranged; but it was impossible to make any statement upon the subject at that moment.

SIR GEORGE CAMPBELL inquired the reason why the salaries of the Lieutenant Governors of the Islands of St. Vincent, Grenada, and Tobago, which were not to be continued beyond the present year, were each £325 in excess of the amounts charged last year?

SIR MICHAEL HICKS-BEACH explained that the apparent difference was merely a matter of account, and arose from the fact that these salaries were not to be continued beyond March, 1880. The change in question had made it necessary to include five quarters' salary instead of four.

MR. RAMSAY asked why it was that the country had to pay £1,226 for charges under the head of Clergy in North America? He had understood some years ago when he was in Canada, that an arrangement had been made for the Colony to bear this expense. He confessed that the amount under the head of Missionaries of the Society for the Propagation of the Gospel appeared to him to be quite uncalled for.

SIR MICHAEL HICKS - BEACH said, this was not a Vote for the maintenance of the Church in Canada. When the former system was changed those persons who were officials in the service of the Crown had, of course, a right to have their vested interests reserved, and there had since been an annual Vote for their salaries, which was becoming gradually less.

MR. WHITWELL trusted that if the present High Commissioner for the Northern part of South Africa were recalled at the close of the war, Sir Bartle Frere would not, in consequence, act again as High Commissioner of Natal and the Transvaal. Was the Committee right in understanding that a fresh appointment of Sir Bartle Frere to Natal would not take place?

SIR MICHAEL HICKS - BEACH said, the question was one which it was quite impossible for him to answer.

MR. RYLANDS remarked that the sum of £3,000 for the Pacific Island Commission appeared for the first time in the Estimates of this year. Perhaps the right hon. Gentleman would inform the Committee in what way this amount was expended?

SIR MICHAEL HICKS-BEACH explained that the charge was for salaries and travelling expenses—the latter being a very important item of expenditure under the Pacific Islanders Protection Act.

Vote *agreed to.*

(5.) £1,770, to complete the sum for the Orange River Territory and St. Helena (Non-Effective Charges), *agreed to.*

(6.) £1,120, to complete the sum for Suez Canal.

MR. D. JENKINS again called the attention of the Government to the charge for pilotage upon vessels passing through the Suez Canal. He found that this charge had not been reduced since he referred to the matter some two or three years ago. Ships passing through the Canal had now to pay 1,200 or 1,500 francs; although he knew for a fact that the Company only paid 75 francs to the pilots who had charge of them. He believed that if the Government were to bring this matter before the Commissioners this excessive charge would be reduced.

Mr. GOURLEY agreed with the hon. Member for Penryn (Mr. D. Jenkins) that the excessive charge for pilotage levied on ships passing through the Canal might very properly be brought before the Suez Canal Directors with a view to its reduction. He took the opportunity of asking what was the policy of Her Majesty's Government with reference to the Suez Canal? Was it to be regarded as international property; as Anglo-French property or as British property? If it was to be regarded as an international property, to be used by all countries, then, so far as England was concerned as a high road to India, it would, in his opinion, be comparatively useless in the event of war, and as such the Government should re-consider the question whether it would not be better to send their troops to India by the old route *viâ* the Cape of Good Hope. If, in the event of war, the Canal remained an international high road, our troops would have to be conveyed by large Fleets, and, in addition, it would be necessary to maintain another large Fleet at the entrance to the Canal to prevent our vessels from being molested. Seeing, therefore, that the route by the Cape was now almost as short, in point of time, as that by the Canal, he thought the Government would do well to review their policy in connection with this matter. The time occupied by troop-ships on the passage from England to Bombay, *viâ* the Canal, was now 31 days.

The CHAIRMAN pointed out to the hon. Member for Sunderland (Mr. Gourley) that the Question before the Committee was the salaries and expenses of the three Representatives of Her Majesty's Government on the Council of Administration of the Suez Canal Company, and that the remarks of the hon. Member with reference to the route to India were not in Order.

Major NOLAN reminded the hon. Member for Sunderland that troops used to be sent to India by way of Suez before the Canal was made.

Sir HENRY SELWIN-IBBETSON pointed out that the present Vote was taken only for the purpose of protecting British interests in the Canal. With regard to the point raised by the hon. Member for Penryn (Mr. D. Jenkins), he thought the question of pilotage might very properly be brought by the British Directors under the notice of the Board of Superintendence, and he had no doubt that they would do everything in their power to protect British interests. In answer to the hon. Member for Sunderland (Mr. Gourley), he regarded the Suez Canal as a great commercial undertaking not confined to any particular nation, but, practically, for the benefit of the world at large.

Mr. E. JENKINS said, the Secretary to the Treasury appeared to think that it was hardly right to raise a question in the House of Commons as to the manner in which the business of the Suez Canal was conducted. But he (Mr. E. Jenkins) apprehended that the whole business of the Canal came under the present Vote. We had a serious interest in this Canal, and it was surely proper that ship-owners in England should look to the Government to see that the interests of the country were fairly represented by the Directors. If these Directors were appointed merely for the purpose of registering the opinions of M. Lesseps, he could not see why the country had invested so large a sum of money in the Canal. The Committee had been told that this was done with the object of protecting British interests; but, from the speech of the hon. Gentleman, it had not appeared that British interests were protected at all. The pilotage dues, as the Committee well knew, fell heavily upon vessels passing through the Canal, and that in a larger proportion upon British vessels than upon those of any other nation; and it was surely competent for an hon. Member to rise and point out that serious injury was being done by the imposition of these heavy dues. If the Government could not do anything in the matter, then the public money had been wasted by the purchase of Suez Canal Shares. Although we were a great nation, and had so much money, we had no voice at all in the management. Of course, he expected, when

Her Majesty's Government originally brought this matter forward, that they hoped to get the entire control of the Canal, that our interests would be secured there, and that we could at any time secure a road through it; but, so far as he could now see, the country had, so to speak, only thrown £4,000,000 sterling into the Canal, for it appeared by the speech of the Under Secretary that we could do nothing whatever in the matter of protecting our interests. The hon. Gentleman had called the hon. Member for Sunderland (Mr. Gourley) to account for bringing forward this question upon the present Vote, saying that the matter was irrelevant to the question before the Committee; but he (Mr. E. Jenkins) ventured to consider it as exceedingly relevant, and that Her Majesty's Government ought to instruct the Directors to make strong representations with respect to the pilotage dues, which weighed very heavily indeed upon British shipping.

SIR HENRY SELWIN-IBBETSON reminded the hon. Member for Dundee (Mr. E. Jenkins) that his answer, with respect to the pilotage dues, had been that it was a subject which the Directors ought to bring before the Board of Direction, and that they would, no doubt, do everything in their power to protect British interests. The hon. Member had seen fit to remark upon the throwing of this £4,000,000 into the sea; but he would point out to the Committee that merely as a matter of finance that amount of money returned an ample interest to this country, and, therefore, even from a commercial point of view, it was certainly not right that it should go forth to the country that the money spent upon purchasing the Suez Canal Shares was unproductive, or that the money was absolutely thrown away.

MR. D. JENKINS complained that the charge made as pilotage went into the assets of the Company as tonnage dues; that the Company paid only 100 francs to the pilots, and charged the ship with 1,000 or 1,500 francs.

MR. WHITWELL quite agreed with the hon. Member for Penryn (Mr. D. Jenkins) that the charges were excessive, and that British interests in this respect should be looked after. He objected to them—first, because they were high; secondly, because they fell heavier on the large number of British ships which passed through the Canal; and, thirdly, because captains of vessels who had sailed in every sea were bound to take pilots on board so ignorant of the navigation that whenever a stoppage occurred it was entirely through them. He trusted the Secretary to the Treasury would send a recommendation to the Directors to look after the interests of our mail, steamers which had not that preference shown to them that they were entitled to.

MR. A. GATHORNE-HARDY said, he had been through the Suez Canal, and his attention having been directed to the question of pilotage dues, he had, therefore, discussed the subject with the British Admiral in charge at Alexandria, who said that the dues were not excessive. He (Mr. A. Gathorne-Hardy) was far from saying that the question was not one deserving of attention.

MR. RAMSAY thought that the pilotage was a very proper subject for the consideration of the Committee. But he rose chiefly to express his objection to the remarks of the Secretary to the Treasury in speaking of this Vote as being for the purpose of securing our interests in a very good commercial investment. When the House was asked to vote the sum of £4,000,000 for the purchase of the Suez Canal Shares the question was presented distinctly as one of policy. He had never expected that by the acquisition of those Shares we should acquire the right of Sovereignty over the soil. It was upon that very ground of having no Sovereign rights that he had objected to the £4,000,000 being voted. That the Government should enter into commercial transactions of any kind, whether they paid 5, 10, or any lesser sum per cent, he deprecated then, and did still. The matter had, however, been treated as a commercial investment, and the justification was that we had got a promise of 5 per cent.

MR. CHILDERS said, there could be no question that the charges did require especial watchfulness on the part of the Government. With regard to the British Admiral referred to by the hon. Member for Canterbury (Mr. A. Gathorne-Hardy), the hon. Member was probably not aware that he was not serving the British Government. The officer in question must have been a servant of the Egyptian Government, as we had no Admiral at Alexandria.

Sir GEORGE CAMPBELL agreed with the view expressed by the Secretary to the Treasury with reference to the Vote for the Directors of the Suez Canal. But, at the same time, it appeared to him that whereas the subject of the pilotage dues would be a proper one for the Directors to consider, the Committee should recollect that the Directors were not now appointed for the first time. Certainly, therefore, they ought to have looked into the matter before this time and obtained justice for British commerce. If there was any truth in the statement that the Company charged vessels with a much larger sum than they paid to the pilots, that was a fraud upon the British Government, because the subject of British vessels passing through the Canal had been the object of diplomatic consideration. The tonnage dues had been limited, and it therefore appeared to him that if the Company put into their pockets an undue amount under the name of pilotage it was really a fraud upon British commerce, and Her Majesty's Government should interfere and make vigorous representations upon the subject.

Sir DAVID WEDDERBURN asked for information as to the salaries of the non-resident Directors?

Sir JOHN LUBBOCK inquired the names of the Directors, and remarked that the sum charged for the Director resident in Paris was rather large. He thought, moreover, that the Directors should be paid by the Company.

Mr. EVELYN ASHLEY asked the Secretary to the Treasury if the Directors kept any records, and if Her Majesty's Government had any means of knowing whether they did any work?

Sir HENRY SELWIN-IBBETSON said, one of the Directors resided in Paris, where the Offices of the Board were situate. The other two Directors were Mr. Rivers Wilson, of the National Debt Office, and General Stokes. The Directors kept the Reports, which were sent to the Government, of the transactions of the Board. He thought the Committee would see that it was advisable that certain Commissioners should be resident in England, so that they might be in constant communication with the commercial world, and that this in no way interfered with the usefulness of their action on the Board.

Mr. RYLANDS thought that his hon. Friends expected from the British Directors a great deal more than they were likely to get. They seemed to imagine that they could, by their position on the Board, secure terms of an advantageous character with regard to the charges upon British ships. This pilotage left a large profit, which was distributed amongst the shareholders in the Company. But the shares held by this country did not carry with them a share of the profits; and, therefore, any representations which might tend to the reduction of the income of the Company coming from the British Directors would necessarily be looked upon with disfavour by the other Directors who represented shares which did participate in the profits of the Canal. The Committee had heard a good deal about Cyprus that evening; but this Suez Canal affair was about as absurd a business as it was possible to conceive. When the Government said this was a good investment he would like any man to be found who would guarantee that the Khedive of Egypt would repay to this country the money advanced on these shares. He did not know that the country had that confidence in Egypt to enable it to believe that the whole of the money would be received back in the way contemplated by Government. He did not anticipate, from the position which the Directors occupied on the Board, that the interests of Great Britain were likely to be promoted at all. The House voted the salaries of the Directors from year to year; but he should be glad to find out what they did in return.

Sir JOHN LUBBOCK observed, that the answer of the Government seemed to him to be eminently unsatisfactory. One of the resident Directors was the Controller of the National Debt, and had also held the position of Minister of Finance to the Khedive. It had been alleged that it was desirable that those Directors should reside in England, in order that Her Majesty's Government might know what was going on; but one of those resident Directors appeared to reside in Egypt. The position of that gentleman was, therefore, perfectly anomalous. In his opinion, it was the duty of Directors to do their best for the benefit of the shareholders; and in that respect again the English Directors appeared to be in an anomalous position. The whole matter was one which required further consideration before it again came before the Committee. He still thought that the salaries of Directors should be paid by the Company; but he did not divide against the Vote without having given previous Notice.

MR. DODSON inquired the name of the Director who resided in Egypt and was also in the service of the Khedive?

SIR HENRY SELWIN-IBBETSON: Mr. Standen.

MR. DODSON supposed that Mr. Standen received pay as a British Director, and also as a Minister of the Khedive. He should like to know whether it was intended that that arrangement should be permanent?

SIR HENRY SELWIN-IBBETSON said, that his absence in Egypt was only temporary, and he recived a salary from this country during the time of his absence.

Vote *agreed to.*

(7.) £5,492, to complete the sum for the Suppression of the Slave Trade.

MR. E. JENKINS asked why there was a Consul at Mozambique? He should also like to know what work that Consul did at Mozambique? He saw no justification for the appointment of a Consul at Mozambique; and he should like the hon. Gentleman the Under Secretary of State for Foreign Affairs to explain to the Committee what that Consul did for his salary of £600 a-year.

MR. GRAY observed, that the Consul referred to by the hon. Member for Dundee (Mr. E. Jenkins) apparently required the services of a chaplain.

MR. BOURKE did not know whether there was a chaplain at Mozambique or not.

SIR GEORGE CAMPBELL thought that the Consul at Mozambique was required in respect of the Slave Trade carried on in the Red Sea. He should like to know whether the efforts of the Consul extended to both sides of the Red Sea?

MR. BOURKE said, that the Consul at Mozambique directed his exertions to the suppression of the Slave Trade in the Red Sea. His efforts were not confined to any port; but no port required and received more attention at his hands than Jeddah.

MR. GOURLEY could aver, from his own knowledge, that the Consul at Mozambique was extremely useful. The Channel at that point was extremely dangerous in respect of navigation, and, of course, the Consul of a country with so much commerce as Great Britain must, of necessity, be of great service. Then with reference to the suppression of the Slave Trade in the Red Sea, the Consul at Mozambique did great good. Many captures took place in the Mozambique Channel owing to the traffic in slaves that went on there. Owing to the fact that the Portuguese authorities were on one side and the French on the other side of the Channel, an English Consul was necessary, and rendered very valuable assistance. Great efforts were being made to suppress the Slave Trade in those parts; but, at the present moment, more slavery went on in the Mozambique Channel than on any other part of the African coast.

Vote *agreed to.*

(8.) Motion made, and Question proposed,

> "That a sum, not exceeding £10,247, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for Tonnage Bounties, Bounties on Slaves, Costs of Captors, &c., and Expenses of the Liberated African Department."

MR. GOURLEY begged to move the reduction of this Vote by the sum of £5,000. He did so because he considered that the money was not required, and that there was already sufficient money to meet all expenses with reference to the capture of slavers by British vessels. At the present moment a very large sum of money stood to the credit of the account of naval prize money, and a large balance was transferred to the Consolidated Fund in 1865. Moreover, a very great decrease had taken place in the Slave Trade since the Treaty with the Sultan of Zanzibar. Two years ago the number of slaves captured in a year averaged from 500 to 1,000, but that number was now very much reduced. In consequence of the diminution in the Slave Trade a number of vessels employed in its suppression had been reduced; but, still, Parliament was asked to grant a sum of £10,000 in respect of the expenses connected with the suppression of the trade. He did not, however, rely so much upon the reduction in the number of slaves captured as upon the fact that there was a considerable amount of money in hand to meet those expenses. Under these circumstances, he thought that it was reasonable to ask the Government to reduce the Vote by the sum of £5,000. There was another point connected with the Vote to which he should like to call attention—namely, the expenses incurred in respect of the maintenance of liberated Africans. In the present year the estimated charge of their maintenance was £3,102. They had no explanation how the charge arose, or how the money was spent for the liberated Africans. He thought that, instead of maintaining those persons, they ought to be sent to their own homes, or to some employment. There was no reason why liberated Africans should be permanently maintained at the expense of this country. Either the liberated Africans should find employment for themselves, or the Government should find it for them. He begged to move the reduction of the Vote by £5,000.

Motion made, and Question proposed,

"That a sum, not exceeding £5,247, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for Tonnage Bounties, Bounties on Slaves, Costs of Captors, &c., and Expenses of the Liberated African Department."—(*Mr. Gourley.*)

Sir HENRY SELWIN-IBBETSON said, that the same sum was asked in that year for slave bounties as was granted last year, and was estimated upon what it was thought would be really wanted. It very often happened that payments had to be provided for which were not anticipated. He might tell the hon. Member that the amounts voted in previous years had been usually entirely spent. It might be that the amount now asked for would not be wanted during the current year, but it had to be provided for, and if not spent the amount would be paid back at the end of the financial year into the Exchequer; and, therefore, they provided for what might occur, and which, judging by the evidence of past years, they had a right to suppose might fairly

occur. With regard to the question raised as to the maintenance of liberated Africans, the hon. Member would see that the expense in respect of those persons had diminished that year by the sum of £250, and the whole expense would be gradually wiped out.

Mr. GOURLEY did not think that the large sum of money asked for under that Vote ought to be granted. The number of vessels employed in the suppression of the Slave Trade had been reduced; and as it was evident from that that the number of slaves captured must also be reduced, the same amount of money for incidental expenses could not now, as formerly, be required. Unless the Government would reduce the Vote by the sum of £5,000 he should be prepared to divide the Committee.

Mr. CHILDERS hoped the hon. Member would not take a division upon that Vote.

Mr. E. JENKINS hoped that his hon. Friend would not divide the House, for it would be taken as an expression of feeling against the suppression of slavery, and he was sure that there was nothing upon which the country entertained so strong an opinion as upon that.

Motion, by leave, *withdrawn.*

Mr. WHITWELL observed, that there was a small charge in the Vote in respect of St. Helena. He wished to know whether the Government would give them a statement of the income and expenditure of St. Helena, and also of Sierra Leone? He trusted that the right hon. Gentleman the Secretary of State for the Colonies would give them a statement of those expenses, as had been done by some of his Predecessors.

Sir MICHAEL HICKS-BEACH was afraid that he was unable at present to give the hon. Member the information he required.

Mr. WHITWELL wished to have a Paper, similar to that with which they were supplied last year, showing the income and expenditure of Sierra Leone.

Sir MICHAEL HICKS-BEACH promised to find out what was done last year, in order to comply, if possible, with the request of the hon. Member.

Original Question put, and *agreed to.*

CLASS VI.—SUPERANNUATION AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE AND OTHER PURPOSES.

(9.) £11,647, to complete the sum for Hospitals and Infirmaries, Ireland.

MR. A. MOORE rose to call the attention of the House to the case of the Female Orphan Home. They had been told that the Institution had existed since 1800, and that ever since that period it had been charged in the Estimates under an arrangement sanctioned by the Act of Union. He did not wish to cast any reflection upon the present Administration, who, of course, were not responsible for the item; but it seemed to him that, practically, the Vote was moved for under false pretences. That particular Vote was placed in the Votes as if it were under the management of the Board of Superintendence; whereas, in point of fact, the Board had no control over the Institution whatever. So much so was that the case, that there was a Parliamentary Paper relating to the Hospitals under the Board of Superintendence, and no mention was made whatever of that Institution. Before they passed that Vote he thought they should have some explanation of the legality of the charge, or, at least, that it should be explained. It professed to be done under the 19 & 20 *Vict.* c. 16; but, for his part, he could see no legality in the charge. He did not wish to prevent the money being voted; but he thought that if the money were to be granted the House had a perfect right to know how it was being spent in that Institution.

MR. J. LOWTHER said, that some explanation was required with regard to that item in the Estimates. The other night he was asked why that item was included in this Vote, and he explained how it came to be placed in the Vote. It had occurred to him that, perhaps, the charge ought, properly, to have come under the head of Industrial Schools. He had communicated with the authorities in Dublin; and he had ascertained that what he had previously stated was accurate—namely, that the Vote depended upon the Act of Union. It had, however, only been placed in that particular Vote 10 years ago, when it was transferred from another Vote which had been discontinued, and the various items of which it consisted had been distributed amongst other Votes. He thought that, at the time the grants were made, they were intended for grants-in-aid. As a matter of fact, as the hon. and learned Member for Limerick (Mr. O'Shaughnessy) was well aware, this question had been brought under the review of the Endowed Schools Commissioners, and he had no doubt it would occupy a place in their Report. He did not know what would be the recommendations of the Commissioners; but, whatever they might be, they would receive the careful consideration of Her Majesty's Government.

MAJOR NOLAN expressed his admiration of the speech of the Chief Secretary for Ireland. He had talked for four minutes, and yet he had given them no information whatever in regard to this Institution. He hoped the hon. and learned Member for Limerick would explain to them what all this meant.

MR. GRAY said, since the discussion on Friday evening, he had had some communication with Dublin, and he found that the allegations of some speakers, that this was a proselytizing Institution, were not correct. He was bound to say that it was not; and also, according to his information, it was very well managed. He did not desire, therefore, to say anything at all against the Institution, although he might remark that it was purely sectarian, and that its advantages were confined to members of one religious denomination. He wished the Committee to notice that fact, because it showed that Parliament did not hesitate to make denominational grants. He, himself, approved of such grants, and wished they were further extended. The Chief Secretary had not dealt with the real source of the complaint—that this Vote was placed under a heading which had nothing at all to do with it, and that the section of an Act—19 & 20 *Vict.*—was quoted which did not affect it. That Act dealt with hospitals and infirmaries. The Chief Secretary said this was probably an hospital, and therefore, according to him, the little girls in the Home were patients. But what the Act also required was, that the Institutions dealt with under it should be placed under the Board of Superintendence.

MR. J. LOWTHER begged pardon. He intended to state that this should, no doubt, have been placed under another head. He was afraid he had not made himself quite clear. What he stated was that the Vote was given in accordance with arrangements entered into at the time of the Union, and transfered to this Vote in consequence of the Report of a Commission about 10 years ago.

Mr. GRAY suggested that the better way would be to strike this item out, and to bring it forward as a Supplementary Vote. But he did not think the matter was of very great importance.

Mr. O'SHAUGHNESSY agreed that the Institution was very well managed, and was utterly devoid of any proselytizing tendencies. At the same time, the Vote was presented in a form in which it ought not to appear.

Mr. A. MOORE asked under what heading this Vote would be placed in the future? Further, if they granted this money in future years, under what inspection would the Home be placed? They had a perfect right to know what was done with the money, and that was a point he wished very strongly to impress on the right hon. Gentleman.

Mr. J. LOWTHER replied, that the whole subject would be fully considered before the Vote was asked of Parliament again, and, of course, the Report of the Royal Commission must be also considered; but he could not say under what head it would be included, or whether it would be again proposed at all; but it certainly should not appear in the Estimates again without being fully looked into.

Mr. M. BROOKS said, since this Vote was before the House last time, he had made some inquiries, and he found this Home was the first female orphanage established in Ireland. In the year 1790 it had a grant of £500 from the Irish Parliament. It was attached to a college or chapel at which, for a great many years, he had attended Divine Service; and he was bound to say there were no proselytizing practices carried on during the time he had the privilege of attending there. At the time of the negotiations for the Union, a stipulation was made that the Imperial Parliament should allow a grant of £500 per annum to this Institution, and he hoped nothing would be done now to disturb the arrangement.

Mr. GRAY pointed out that the point which had been raised by the hon. Member for Clonmel (Mr. A. Moore) was a very simple one. Either this Vote was sanctioned by 19 & 20 *Vict.*, or it was not. If it was sanctioned by that Act, the Home should be under the Board of Superintendence. They had no right, if it was not, to vote the money under this head, and they could not get out of that dilemma; for, at present, the Home certainly was not under the Board of Superintendence. It was not a question of whereabouts in the Estimate to decide where the charge should go; but of deciding whether the Vote was sanctioned by an Act of Parliament. If it was not, by what right was it put in there?

Sir HENRY SELWIN-IBBETSON explained, that the question of the arrangement of the Estimates was gone into about 11 years ago, when the right hon. Member for Bradford (Mr. W. E. Forster) re-arranged them, and, at that time, placed this particular sum under this heading. He would merely submit that the heading referred generally only to the items appearing under it; and there were many Votes under those heads which were in no way affected by the particular Act quoted at the top. There were other cases in the same position, where Votes were not governed by the particular Act quoted at the heading, but by others. He quite agreed, as his right hon. Friend had said, that the placing of this Vote under this heading was misleading; and if his attention had been called to it before, he would have placed it in another place, so that any difficulty of this sort would not have occurred.

Mr. CALLAN pointed out that on Friday—or, rather, at an unusually early hour on Saturday morning—the Attorney General for Ireland stated that this was one of the encumbrances handed over by the Irish Parliament to the Parliament of the United Kingdom, and that it was in consequence of specific statements in the Act that this Vote was taken. The Secretary to the Treasury had now made another statement, which did not at all corroborate that. He had made inquiry as to the Act, and he found that it was not based on any particular Act. The Secretary to the Treasury had said that there were other Votes in a similar position. He should like to ask which they were? [Sir Henry Selwin-Ibbetson: Next page.] Well, all this only showed how careless and negligent, if not utterly incompetent, the understrappers of the right hon. Gentleman had been in preparing this Vote. ["No, no!"] He maintained it only showed how utterly negligent they were in placing it before the House; and he would suggest that, another year, the Secretary to the Treasury should direct his subordinates to place on the Paper the specification under which this Vote was taken.

SIR HENRY SELWIN-IBBETSON observed, that this Vote had been continued ever since, and had been placed in this particular clause on re-arrangement of the Estimates by a Committee who sat to diminish the number of headings. He had already stated that the headings in no wise governed all the Votes under it; but as the heading in this case was of a misleading kind, he would take care the change was made. He must protest distinctly against the accusation made against the very able clerks in the Department with which he was connected. Nothing could be more careful than the way in which the Estimates were prepared, and every desire was shown to give every possible information.

MR. RAMSAY thought some misapprehension had arisen, from the fact that some hon. Members had assumed that all sums voted in Committee of Supply must have statutory authority. That was an entire misapprehension, and the majority of the sums voted were voted without any authority other than the authority of the House, and they did not recognize any authority higher than that.

MR. CALLAN said, he was under no mistake, and did not suppose any such thing. Fortunately, he was well aware that such a safeguard was not required. What he maintained was, that on Saturday morning the Attorney General for Ireland stated that the Vote was proposed under an undertaking given at the time of the Union. He now wished the right hon. and learned Gentleman to point out the page on which such an undertaking was mentioned, which gave the House the authority in support of his assertion. The right hon. and learned Gentleman would relieve them of a difficulty by replying; although he did not, for his part, see why they should vote this money, when they did not vote £500 for places of other denominations.

THE ATTORNEY GENERAL FOR IRELAND (Mr. GIBSON) said, he would be very happy to help the hon. Member out of the difficulty. [Mr. CALLAN: No; the House.] Well, or the House. He thought, when attention was directed to this matter by the hon. Member for Clonmel, explanations were given by his hon. Friend the Secretary to the Treasury, who was enabled, from the documents in his possession, to give a very considerable amount of information to the Committee on the subject. It appeared that this Vote, from a time long antecedent to the Union, was granted—first, by the old Irish Parliament, and was continued ever since the Union. He thought that was mainly the manner in which the reference to the Union came out, and that there was no dogmatic or positive assertion made. As to the assertion that there was any agreement which would prevent Parliament from saying they would not vote the money, he did not think that was for a moment suggested. The fact that this was on the Votes was proof that Parliament was quite competent to accept it or not; and it could terminate the grant either this year or next year, or could re-consider the whole matter, and deal with it in any way it thought proper. As he understood, the hon. Member for Clonmel objected more to the form than to the substance of the Vote, and his contention was that it ought not to come under this particular head. As a matter of law, it was not necessary that the Act under which the money would be dealt with should be stated in the heading; it was merely put there for the information of the House; and there was obviously now no misconception on the subject, and everything was known about this Home. The funds, and the character of its work, would be investigated before the Committee now sitting, and the result would be available in the next Session of Parliament. He thought they might now pass this Vote.

MR. A. MOORE did not desire to press this matter further, because his whole object in bringing it forward was to show that, whereas this Home appeared to be under the governance of the Board of Superintendence, as a matter of fact they had no authority at all over it. He believed that proselytizing was not practised in the Institution, therefore he should be sorry that the Vote should be further objected to; and he merely thought it ought to be put under proper inspection, and that some guarantee should be given that the money would not be spent without inspection. He was quite content with the assurance of the right hon. Gentleman.

Mr. GRAY was also thoroughly content that the Vote should pass, now that the Committee thoroughly understood its nature. They were informed that they were bound by a clause in the Act of Union, and the Attorney General for Ireland would probably recall that fact to his mind. They now found that they were bound by no clause of any sort, and that this was purely a voluntary Vote. He was quite willing to join in a Vote to a purely denominational school, hoping to use that Vote as an argument by-and-bye. He sought for aid for denominational Institutions of this kind; and he hoped, therefore, hon. Gentlemen who joined in this Vote for an Institution without a "conscience" clause, or provision of any kind, would not refuse grants to well-managed institutions of a similar sort because they belonged to another religion.

Mr. P. MARTIN was very glad of the discussion, because of the facts which had been elicited. Here they had a Vote of money to a purely Protestant Institution over which there was no Government control. He asked hon. Members to bear that in mind when they next heard taunts against Catholics for coming to that House and asking for grants for educational purposes, as to the due application of which they had been willing to submit to the most stringent Government supervision. Yet, though the majority in that House had so recently refused to sanction payment by results, or any grants in aid of Catholic Collegiate training, year after year they had passed a Vote of this character for a Protestant Orphan Home in Dublin. It was not creditable to the liberality of those hon. Gentlemen, who professed themselves opposed to any application of the public funds to denominational purposes in Ireland, to say that an examination of these Votes would show not a single shilling given to relieve the sharp pressing needs of the majority of the population, while there were many sums bestowed out of the Consolidated Fund each year to purely Protestant purposes, without any supervision or check.

Mr. A. Moore

Mr. MACARTNEY: I will remind the hon. Member of Cree Roman Catholic Schools.

Mr. P. MARTIN replied, that the hon. Member for Tyrone was under a misapprehension. This school, it had been admitted, was not an industrial school, or under any Government supervision, nor was it under the Reformatory Acts.

Mr. MACARTNEY observed, that he said that the House would have objection to see all schools under Government supervision.

Vote *agreed to.*

(10.) £123,944, Savings Banks and Friendly Societies Deficiency.

Mr. E. W. HARCOURT hoped the noble Lord the Postmaster General would be able to give some assurance that the Government would turn their attention towards the important question of the increase of Post Office Savings Banks. The matter involved the interest of many millions of people in the country; and he trusted next Session to find a more auspicious moment for bringing it forward than had been accorded to him during the present Session.

Lord JOHN MANNERS could safely say that, as long as he had been in Office, his attention had been turned to this subject. In addition to the 6,000 Savings Banks, there was the Penny Banks movement, which was making great and satisfactory progress. He believed there were about 2,000 of these banks in existence; and, besides that, there were upwards of 1,100 School Banks. All these were regarded by the authorities as excellent allies, working cordially and harmoniously together. His attention had been constantly directed to the extension of the system, and everything that tended in that direction should always have his most careful regard.

Vote *agreed to.*

(11.) £2,544, to complete the sum for Miscellaneous Charitable and other Allowances, Great Britain.

Mr. CALLAN thought there must be an error with reference to the amount allowed to one of the American pensioners for services rendered at the time of the Declaration of Independence. He also asked who were the refugee French clergy alluded to in the Vote, and what right they had to receive money from the House of Commons?

SIR HENRY SELWIN-IBBETSON said, the name of the American referred to in the Vote was Macdonald, who was in receipt of a pension of £11. He was a man of very considerable age; and although alive at the present time, he could not be expected to enjoy the Vote for any length of time. There seemed to be a discrepancy with regard to the matter of the French refugee clergy, and he would make inquiry into this, giving an accurate account of the transaction upon Report.

MR. CALLAN asked that the Vote should be postponed, or reduced by the sum of £10. He did not see why they should support the descendants of French refugees.

SIR HENRY SELWIN-IBBETSON said, he had already made known, on the part of the Treasury, that they intended to re-consider these Votes.

MR. COURTNEY explained that the Vote was for the stipend of two teachers attached to the French Chapel, where service was performed every Sunday in the French tongue. It might very well be that this Vote should by-and-bye cease, perhaps after the death of the present recipients.

MR. CALLAN expressed himself grateful to the secular Member for Liskeard (Mr. Courtney) for his explanation; and trusted that, having defended this Vote, he would not come down to the House on his secular hobby-horse and repudiate Votes on Irish topics.

MR. WHITWELL asked whether there was any possibility of commuting the pension which appeared by the Votes to have been in existence since the time of Charles II? He thought, if it could be commuted on any terms whatever, it ought to be done. He could understand how it was that this pension was not commuted, when the coal dues, on which it was settled, were taken over by the City.

SIR HENRY SELWIN-IBBETSON did not know that there was any power of commutation in respect of this pension without the assent of the parties, the sum having been granted by Letters Patent, and forming a first charge on the Revenue. The opinion of the Law Officers of the Crown had been taken, and they held that there was no power of commutation.

Vote *agreed to.*

(12.) £2,802, to complete the sum for Miscellaneous Charitable and other Allowances, Ireland.

MR. O'SHAUGHNESSY said, with reference to the item for the Protestant clergyman of the French Church at Portarlington, that up to about 35 years ago the French Protestant service was held at that place; but the clergyman now only discharged the ordinary duties of the Protestant Church, which, as it had been disestablished in Ireland would, he thought, render it impossible that this Vote should be retained. No doubt, the clergyman had a kind of vested interest, which he (Mr. O'Shaughnessy) would not like to disturb; but the Government should take care that there was no new appointment.

MR. J. LOWTHER agreed with the remarks of the hon. and learned Member for Limerick (Mr. O'Shaughnessy) upon this Vote. Of course, the House of Commons was always desirous that vested interests should be respected; but he confessed that a case had been made out that the appointment should not be renewed.

MR. CALLAN asked when the Report would be brought up with reference to the Superannuation Allowances to Prison Officials, so that the Committee might know when they would have an opportunity to discuss the matter?

MR. J. LOWTHER said, it had already been reported.

MR. CALLAN asked for an explanation of the item of £3,000 for Charitable Allowances. He did not think this sum should be voted without knowing what it was for.

MR. J. LOWTHER said, it was for persons in distress, and was analogous to the Royal Bounty.

Vote *agreed to.*

CLASS VII.—MISCELLANEOUS, SPECIAL, AND TEMPORARY OBJECTS.

(13.) £19,076, to complete the sum for Temporary Commissions, *agreed to.*

(14.) £5,086, to complete the sum for Miscellaneous Expenses, *agreed to.*

REVENUE DEPARTMENTS.

(15.) £806,258, to complete the sum for Customs, *agreed to.*

(16.) £1,582,125, to complete the sum for Inland Revenue.

Lord FREDERICK CAVENDISH asked whether any new system had been adopted of collecting Income Tax, for there was a large increase in the poundage?

Sir HENRY SELWIN-IBBETSON replied that the poundage was paid, as before, on the amount collected; but as the Income Tax was now 5*d.*, of course the poundage had increased.

Lord FREDERICK CAVENDISH observed, that that did not explain the increase, which was very considerable. It was not possible in that way to understand how it had gone up from £26,000 for 3*d.* to £70,000 for 5*d.*

Sir HENRY SELWIN-IBBETSON answered, that there was no difference made in the payment of collectors. The Estimate was based on the grant of last year. He had made every inquiry into the matter at the time, because it struck him that there was a very large increase in the poundage; and he was assured by the officer of the Inland Revenue Office in charge of the matter that the amount of the increase was due to this cause.

Lord FREDERICK CAVENDISH said, surely that would not explain an increase from £26,000 to £70,000.

Mr. WHITWELL observed, that there was also a very large increase in the Supplementary Estimate.

Vote *agreed to.*

Motion made, and Question proposed,

"That a sum, not exceeding £2,806,825, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Post Office Services, the Expenses of Post Office Savings Banks, and Government Annuities and Insurances, and the Collection of the Post Office Revenue."

Mr. GRAY wished to know whether it was the system to confiscate savings that had been deposited in two accounts by some persons? He believed the Post Office Savings Banks realized some small profit; and, therefore, there was no excuse for dealing harshly with depositors, who were, of course, for the most part, of the poorest class, and were probably not aware of the various regulations under which the Department existed. He had put the question in reference to a case which had been mentioned to him before; but he would now ask something about the matter, not having anticipated that this Vote would give it so soon. He wished to know whether, if a depositor violated the rule that two accounts should not be opened by one person, whether the Post Office had the power to confiscate all his savings? The case which had been brought to his knowledge was that of a farm labourer, who had deposited with the Post Office the savings of a life's labour, amounting to about £100. Part of the money was deposited in his own town, and the other at another, some few miles off. After his death his relatives attempted to take some of it out, in order to pay the expenses of his funeral, and then the Department discovered that he had kept two accounts. According to his information, the money was absolutely confiscated; and on an appeal being made to the Treasury, the reply was that they should allow matters to take their course. If his information were correct, the Government had confiscated the entire savings of this poor man, and left his family without any means of subsistence. The noble Lord would be able to tell them, at any rate, whether this system existed, even if he were not acquainted with the facts of this particular case; and, if it did—which he could scarcely believe—the Government would certainly find their labours in Ireland very much lightened.

Lord JOHN MANNERS replied, that the law was very much as the hon. Gentleman had stated, and, of course, his Department was bound to obey the law. The case was brought under his notice by two hon. Members from Ireland not very long since, and he then found that the matter had occurred more than a year ago. The procedure was as follows:—The Solicitor to the Treasury had his attention called to it, and was asked to express his opinion on it in writing. If he reported that these double accounts were opened in error, then the money was not confiscated, but returned. If the Solicitor stated that, in his opinion, there was fraud in the transaction, then the law took its course. Two hon. Gentlemen, one the hon.

Member for Wexford (Mr. O'Clery), had called about the case. They had been referred to the Treasury, and, he apprehended, it was now undergoing inquiry.

MR. GRAY begged to move that the Vote be reduced by £100. What was the fraud for which this money was confiscated? The Government took deposits from poor people, giving them only a low rate of interest—2½ per cent —and then invested the money they received at a much higher rate, principally lending it to local bodies, and making 3½ and 4 per cent. By these means, after paying all the costs of management, they made a considerable profit from the business. What, then, was the conceivable amount of fraud that this man had perpetrated by opening two accounts? He had simply induced the Post Office to take a little more money than they otherwise would have had, and so they made a little more profit. Was that a sufficient justification for making a charge of fraud? He could not bring himself to use the word. They might call it a trick or a subterfuge, in order to get a greater amount deposited than the Government accepted. Was that conduct sufficient to justify the confiscation of the entire capital sum? The bare statement of facts needed no elaboration from him. He thought they were simply appalling. The expression used would be applied by the people of Ireland, not to the depositor who had lost his money, but to the persons who had taken it from him. He would certainly take the opinion of the Committee on the subject.

Motion made, and Question proposed,

"That a sum, not exceeding £2,806,725, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Post Office Services, the Expenses of Post Office Savings Banks, and Government Annuities and Insurances, and the Collection of the Post Office Revenue."—(*Mr. Gray.*)

SIR HENRY SELWIN-IBBETSON said, the hon. Gentleman hardly understood the statement of the noble Lord in answer to his question. There was no power in the Department to do anything of this kind. It was simply a question of carrying out an Act of Parliament. The Act of Parliament sanctioned the Post Office Savings Banks, in order, he supposed, to prevent interference with the ordinary banks of the country, and limited deposits to a certain sum. Under that Act, any attempt to open two accounts in the same name was considered a fraudulent transaction, and rendered the account liable to be confiscated. If this were proved to be a fraudulent transaction, forfeiture was necessary also, for otherwise persons might have a great many accounts open in different Post Offices, and give great trouble. If any alteration was required, it must be by means of a new Savings Banks' Bill, allowing an increase in the amount deposited.

MR. GRAY replied, that he did not misunderstand at all. He did not state that the Department had power to make restitution of this money, because, as to that, he accepted the explanation of the noble Lord. What he did state was that the Government, as represented by this Department, had confiscated the money, and that he represented as grievously unjust. The Treasury had power to return this money, and they did not exercise it. It was not with reference to a particular case, the details of which he had not been able fully to bring before the House, and which the noble Lord had not had time to examine; that he intended to move this reduction, but as a protest against the whole system. The opening of an account might be a fraud technically, and according to an Act of Parliament; but, he contended, it was a fraud in no sense of depriving a person of money, and he contended it was not a fraud deserving of anything like the punishment meted out. He would, therefore, take the earliest possible opportunity of taking the opinion of the Committee on the general question of whether such a policy was desirable. He was positive the people of Ireland did not know they could be treated in this way; and he was sure the Government would find very little difficulty in dealing with the Post Office Savings Banks in Ireland in the future, in consequence of a considerable reduction in the number of deposits. Yet so strongly did he feel on the subject, that he certainly would raise the question in a more formal shape on another occasion.

LORD JOHN MANNERS said, the law was that when a depositor opened an account at the bank all these rules were made known to him. If he was illiterate, it was incumbent on the Postmaster to read and explain to him the rules. He had no reason to believe that this was not done in the present case, but, on the contrary, he had reason to believe that it was; therefore, he thought that, even when this case became known, the people generally would not follow the course suggested by the hon. Member, because the rules and regulations which now existed had been enforced ever since the Savings Bank was founded, and until this particular case he had never heard any complaint.

MR. MELDON thought it was very much to be deprecated that the noble Lord opposite and the Secretary to the Treasury should thus brand a dead man with fraud. He was amazed to hear the noble Lord opposite state that the Solicitor to the Treasury had branded this case as fraudulent. He would challenge either the noble Lord or the Secretary to the Treasury to show how such a statement could be defended, and to point out where the fraud was. There was no such thing as a fraud in this case. The man might have acted in contravention of the Act of Parliament; and it might be necessary, for the public good, to act harshly in a special case, taken expressly for the purpose, and not interfering with the existing business of the Banks and Institutions. If a man chose to make deposits in the Post Office Savings Banks all over Ireland, he could quite understand that serious mischief might arise, and that the infliction of a fine might become necessary. Was a poor unfortunate man like this—a farm-labourer —to have the whole of his life-long savings forfeited without the slightest reason or necessity? They were told that it was the invariable practice to refer these matters to the Solicitor to the Treasury, to report whether an action was fraudulent or not, and if he reported that it was, these monies were confiscated. Such a thing as this ought to be known to the country, and it would most certainly bring the Post Office Savings Banks into disrepute. He could quite understand when there were duplicate accounts they might fairly refuse to pay interest on the second; but, under the circumstances stated by the noble Lord and the Secretary to the Treasury, to brand the conduct of the deceased man as fraudulent, and to forfeit the entire property of his family, he had no hesitation in declaring to be a scandal.

SIR HENRY SELWIN-IBBETSON said, he must indignantly protest against such language. An Act of Parliament had been passed. That Act limited the amount any particular depositor should be allowed to deposit; and it stated that if a person deposited more than that in another account—that was, if the fraudulent intention was proved—the amount should be forfeited. That was done in order to prevent what had been referred to. He did not wish to enter into this particular case, because he did not know the facts; but he could answer for it that it had been gone into most carefully by the Solicitor to the Treasury. That gentleman always inquired most carefully into the circumstances to see whether the depositor, having got one deposit, had taken out another with full knowledge of the rule; and if he considered the fraudulent intention proved, he could only follow the Act of Parliament. The only difficulty was as to the fraudulent intention or not. But he ventured to say all cases were so construed. He, in his office of Secretary to the Treasury, only acted with a view to carrying out the Act of Parliament; and he did not see how any Government could be carried on if its actions in carrying out an Act were to be called a scandal.

MR. CALLAN said, there must be some impression on the mind of the Secretary to the Treasury or the Postmaster General. The Secretary to the Treasury had stated that this money was confiscated under the Act of Parliament, while the Postmaster General put forward the justification of some rules, in very small print, attached to the book which was handed to the depositors. What was fraud? Surely it was taking, by some device or misrepresentation, money that could not be otherwise obtained. That was the ordinary sense and meaning of the word in the ordinary moral sense, though not, perhaps, in the legal sense. He thought the whole thing was a scandal; and, as a man of the world, he would repeat it certainly was a scandal.

SIR HENRY SELWIN-IBBETSON: I rise to Order.

MR. CALLAN: If the Secretary to the Treasury wished to make any remarks he could do so after he (Mr.

Callan) had sat down. He certainly should not give way. Such conduct was a scandal to any public Department. This money had got into the insatiable maw of the Treasury, which never disgorged anything it had received; and in order to meet the great expenditure of the Zulu War and the Afghan Campaign, they were ready to gather money in every way that was justified by law—he was going to say by honour. As to this case—here was a poor, illiterate agricultural labourer, who, not having been accustomed to large sums of money, did not bank at the Bank of England or Ireland, but took his little savings to the Post Office. The Act of Parliament did not say that if a man lodged two different sums in that bank, under different names, it should be confiscated; but if he lodged it in the same name, it was left to the Solicitor to the Treasury to say whether he were guilty of fraud or not. Surely the House was as capable of judging of fraud as the Solicitor to the Treasury. They were told that if a man lodged the money ignorantly it would not even be a legal fraud; and he should certainly suppose this labourer did deposit his money ignorantly. Only very recently the Master of the Rolls in Ireland had denounced a bill of sale as a scandal, as a disgrace, and as an act which should be censured and put down by the strong arm of the law, because the conditions were printed on it in small print, not easily read by those who ran. Surely he would use much stronger language with regard to this action on the part of the Government. They had not the slightest proof that these rules were read, or that the Postmaster explained them. He hoped his hon. Friend would have met in some other spirit this mere puerile allegation of fraud; and that, sooner than proceed in this way, the Postmaster General and the Secretary to the Treasury would consent to refer the whole question to the Law Officers of the Crown in Ireland, in order that this matter might be inquired into, and the money returned to this unfortunate man. It would smooth matters, and would not put them to the expense of a 20 minutes' Division, with the probability of a very angry discussion afterwards.

LORD JOHN MANNERS said, the hon. Gentleman had not paid sufficient attention to what he had said. The hon. Members for the county and the borough of Wexford had brought this case before him some little time ago; and, having looked into it, he found that it had passed out of his control to that of the Treasury. He, therefore, advised the hon. Member to go to the Treasury and see if the case could be re-opened. He had not heard from either of the hon. Gentlemen since, and, therefore, did not know what the result was. He thought, however, it would be better to leave the case in the hands of those who had originally taken it up.

MR. GRAY said, the case came from his own county of Tipperary; and, therefore, it appeared as if this process of confiscation was general. The Post Office, it appeared, made considerable profit out of the Savings Banks, amounting in all to £20,000 a-year; but he had some hesitation in challenging this Vote by moving a reduction, because it might be thought he was taking a Division on the merits of this particular case, and he did not wish that should be so. He had not yet had an opportunity of going fully into the case, but perhaps the Chief Secretary might consider the matter; and, therefore, he thought it better and fairer to the Committee to withdraw the Amendment he had moved. Either on Report, or some distinct Motion, he would generally raise the question of whether it was advisable to enforce these terrible punishments.

MR. COURTNEY observed, that even in looking through the Act he did not find any powers there to confiscate money in this way. Probably, therefore, this act had been done under some rules framed in pursuance of the Act, and laid before Parliament in the ordinary way. He did not rise to continue the discussion on that point, for it seemed to him to be a matter which should be discussed at another time in the day. He did desire, however, to call the attention of the Committee to the organization of this Department, which seemed to him to be most cumbrous and expensive. ["Order, Order!"] He was going to move to report Progress.

THE CHAIRMAN: I must point out to the hon. Member that, as the hon. Member for Tipperary (Mr. Gray) has asked permission to withdraw his Amendment, that it would be more convenient to have that withdrawn, and then to enter on this discussion. The hon.

Member was probably under the impression that the Amendment had been withdrawn.

Mr. COURTNEY replied that, in his opinion, it would be more convenient to report Progress before leaving the Amendment before the House. It was impossible to discuss the question of the organization of the Post Office at that time in the night; but he thought hon. Members present would be surprised to learn that the cost of every single transaction was over 8*d.* [Lord John Manners: A little under 8*d.*] If the noble Lord would look at page 27 of his own Report, he would find a statement there that the average cost to the Post Office of every deposit withdrawn was, in the year 1877, $8\frac{1}{10}$*d.*; so that it was over 8*d.* for the whole period. It had been 6½*d.*, and there was an explanation why the charge had been increased.

The CHAIRMAN: I must point out to the hon. Member that the hon. Member for Tipperary has asked leave to withdraw his Amendment. It is in accordance with the practice of the Committee to speak only to that Amendment, until the Question is decided. When it is withdrawn, he will be in Order to make his observations.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Mr. COURTNEY did not propose to enter into any discussion, and only wished to point out why they ought to report Progress. It seemed to him too absurd that the cost of each transaction should be $8\frac{1}{10}$*d.* If ordinary banks had to pay that, they could never carry on business. He wished to point out how that might be reduced, and also how the operations of the banks might be extended so that they might be established wherever Money Order Offices existed. He begged to move to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Courtney.*)

Mr. MELDON did not wish to interpose in this discussion; but he did wish to protest against the language made use of by the Secretary to the Treasury on the conduct described by his hon. Friend the Member for Tipperary. The Secretary to the Treasury spoke of the person making the two deposits as acting fraudulently, and as showing a fraudulent intention. [Sir Henry Selwin-Ibbetson dissented.] He understood the hon. Gentleman to say so, and he was only too glad if he would disclaim the intention. He challenged him and the Postmaster General to point out how such conduct could be fraudulent. The Act of Parliament even did not give power to confiscate this money, and there ought, certainly, to be no declaration that conduct of this kind was fraudulent merely upon rules framed by the Post Office. He challenged the hon. Gentleman to prove this language; and when this Vote came on again he hoped they would have some explanation of such a charge.

Sir HENRY SELWIN-IBBETSON hoped the Motion would be withdrawn, on condition that this Vote was postponed. He was very anxious to get on with the other Votes, in order to include specifically the Votes of Supply. He would not enter further into the dispute as to whether he did or did not use the words imputed to him. What he intended to convey was, that an Act of Parliament having laid down certain conditions, an attempt, with a knowledge of that Act of Parliament, to frustrate those conditions, was a fraud on the Act of Parliament.

Mr. COURTNEY had no objection, on this decision, to withdraw his proposal.

Motion, by leave, *withdrawn.*

Original Motion, by leave, *withdrawn.*

(17.) £574,725, to complete the sum for Post Office Packet Service, *agreed to.*

(18.) Motion made, and Question proposed,

"That a sum, not exceeding £834,528, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Working Expenses of the Post Office Telegraph Service."

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Major O'Beirne.*)

Mr. GRAY wished to direct the attention of the Government to a subject he had already brought under their notice —namely, the discontent which existed in the Dublin Offices amongst the Post Office clerks at the injustice to which they were subjected in the matter of salaries. They had already called attention last year to this matter by Memorial, and he then pointed out that it was never forwarded to London until he called attention to the matter. He saw by the newspapers that in the last two or three days the Post Office clerks in Dublin had met to consider their grievances, and it was then stated that a second Memorial had been addressed to the noble Lord, which had not elicited any reply. The noble Lord promised him last year that the matter should have his careful attention, but no relief had yet been accorded. The complaint was that the work in Dublin was just as hard, and required as skilled manipulation, as any city in the Empire; a statement which he could testify from his own knowledge, having had some experience of the amount of work done, in a very limited time, and which was paid on a lower scale, not merely than in London, but in other towns, such as was paid to the clerks in Edinburgh, Glasgow, Manchester, Liverpool, and all the principal provincial towns of England and Scotland. These clerks had the same work as the clerks in London, and must be their equals in skill; for, of course, in transmitting messages, if they did not have as good a clerk at one end as at the other, they lost the advantages of the skill of the first. He found that second-class clerks in London began at £200, rising to £300; while second-class clerks in Dublin began at £90, rising to £300; while clerks in the fourth class in London began at a higher rate than the second-class clerks in Dublin. There was another matter to which he might call attention, which the clerks thought might injure them, or be to their detriment. Recently, their names had been changed by a Circular from "telegraph clerks" to "telegraphists." An Act of Parliament provided for the superannuation and pensions stipulated for when the telegraphs were transferred; and these clerks feared that the Circular changing their name was intended to deprive them of some benefit which they would have secured under the Act. The men complained, also, that they had an enormous deal of extra work on Sundays, and that they were kept continuously at work long over hours. Of course, they were paid extra for that; but the work was more than they were physically able to perform, and the extra pay did not compensate for the loss of health contingent on the work. He trusted this matter would not require very much more consideration from the noble Lord, and that he would do something like justice to these clerks; and he trusted, also, that the agitation of these men would not bring on them any kind of punishment, of which they stood in considerable dread.

LORD JOHN MANNERS said, he would readily give the last assurance asked for by the hon. Member. With respect to the general status of these clerks, the principle he wished to lay down, speaking generally, was that the clerks in Dublin should be on the same footing as those in Edinburgh. The capital was always regarded as different to other places. He would communicate to the hon. Member, as soon as possible, the result of his inquiries, and of certain communications which were now passing between the Treasury and himself on this matter.

MR. M. BROOKS asked, if the rates in Edinburgh at present were greater than those in Dublin? He knew the wages paid were some 40 or 50 per cent below those paid in London; and if the clerks did not get a rise, it would be very poor consolation to them that they got the same as was paid at Liverpool and Manchester. He should be very glad to hear the noble Lord say that they should be put on a level with the men in London.

MR. DILLWYN thought it was a very odd principle to pay clerks according to the place where they were working. They surely ought to pay according to the efficiency of their work.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

CIVIL SERVICES.

CLASS IV.—EDUCATION, SCIENCE, AND ART.

(19.) £490, to complete the sum for Endowed Schools Commissioners, Ireland, *agreed to.*

(20.) £1,739, to complete the sum for the National Gallery of Ireland, *agreed to.*

(21.) £1,500, to complete the sum for the Royal Irish Academy, *agreed to.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

SUPPLY—REPORT.

Resolutions [28th July] *reported.*

First Resolution *agreed to.*

Second Resolution *postponed.*

Six following Resolutions *agreed to.*

Ninth Resolution *postponed.*

Postponed Resolutions to be taken into Consideration upon *Thursday.*

MUNICIPAL ELECTIONS (IRELAND) BILL.—[Bill 256.]

(*Mr. James Lowther, Mr. Attorney General for Ireland*).

COMMITTEE.

Order for Committee read.

Bill *considered* in Committee.

(In the Committee.)

Major NOLAN asked what was the meaning of the Bill? He had read it to the end, and could not understand it. It was simply a repetition of previous Acts, and he did not know what its object was at all.

Mr. J. LOWTHER replied, that it was found that the municipal arrangements of Ireland were not subject to the last Act which governed the rest of the United Kingdom. It was merely an Act to remove doubts.

Mr. GRAY observed, that this Bill was merely an extension of a very useful Act passed in 1875, which was believed to extend to Ireland, and which on that belief had been acted on in Ireland. Owing, however, to a question which arose in a recent election for the Dublin Corporation, which was referred to the Law Officers of the Crown, it was discovered that the Act under which they had been carrying on their elections did no textend to Ireland. This Bill proposed to extend it.

Bill *reported,* without Amendment; to be read the third time *To-morrow.*

NATIONAL SCHOOL TEACHERS (IRELAND) [REPAYMENT OF ADVANCES].

Considered in Committee.

(In the Committee.)

Motion made, and Question proposed,

"That is expedient to authorise the payment, out of the Consolidated Fund of the United Kingdom, of any deficiency in the Pension Fund which may arise in the repayment to the Commissioners for the Reduction of the National Debt of any Advances made by them for the purposes of any Act of the present Session for improving the position of the Teachers of National Schools in Ireland."

Mr. COURTNEY asked, whether the Secretary to the Treasury or the Chancellor of the Exchequer had considered the point raised by his right hon. Friend (Mr. Childers), as to whether this money was to be repaid to the Consolidated Fund? His right hon. Friend gave reasons why that form of repayment should not be adopted.

The CHANCELLOR of the EXCHEQUER said, he was not very much in favour of the suggestion that these charges should be placed on the Votes, as he was afraid they would be more likely to lead to extravagance than economy. It would be far better to keep to the present arrangement.

Major NOLAN said, he would take advantage of the opportunity to ask the hon. Member for Liskeard (Mr. Courtney) whether he would withdraw his opposition to the National School Teachers Bill, so that it might not come on at a late hour? He had received several letters from the National teachers in Ireland hoping this Bill would become law this Session; and as a Notice given by the hon. Member prevented the Bill coming on before half-past 12, it might have the effect of stopping it altogether, or, at any rate, of preventing it from being properly discussed.

Resolution *agreed to*; to be reported *To-morrow.*

MOTIONS.

COPYRIGHT (No. 2) BILL.

Acts read; *considered* in Committee.

(In the Committee.)

Lord JOHN MANNERS, in moving that the Chairman be directed to move the House, that leave be given to bring in a Bill to consolidate and amend the Law relating to Copyright, said, the Bill contained all the recommendations of the recent Royal Commission on the subject, with the exception of two—that registration should be removed from Stationers' Hall and undertaken by a Government Department, and the abolition of the privilege of free copies to the Universities and Advocate's Library at Edinburgh. With these two exceptions, all the main recommendations of the Commission would be found in a Code on the subject. The Bill was introduced, not with the object of becoming law this Session, but that it might be circulated during the Recess, not only at home, but in the Colonies.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to consolidate and amend the Law relating to Copyright.

Resolution *reported :* — Bill *ordered* to be brought in by Lord JOHN MANNERS, Viscount SANDON, and Mr. ATTORNEY GENERAL.

Bill *presented,* and read the first time. [Bill 265.]

IRISH CHURCH ACT (1869) AMENDMENT BILL.

LEAVE. FIRST READING.

MR. PLUNKET, in moving for leave to bring in a Bill to amend "The Irish Church Act, 1869," and to provide further compensation to certain persons, being Priests and Deacons of the late Established Church of Ireland, said, the Bill would not at all challenge the general policy of the Irish Church Act, or in any respect re-endow the Irish Church. Its provisions simply aimed at redressing a grievance felt very severely by certain clergy of that Church. It was complained that although the Act did profess not to treat with harshness or severity individual clergymen, and professed to give them full compensation, yet that it failed to make provision for the loss they had suffered in being deprived of all hope of preferment. Amendments in this respect were brought forward at the time of the passing of the Act through the House, but the arguments in favour of these proposals were rather evaded than met. At all events, the Act did not contain any such provisions, and the object of his Bill was to introduce provisions remedying that grievance. By its clauses any incumbent or curate who believed himself aggrieved would be entitled to present a Memorial to the Irish Church Commissioners, and they would be required to entertain that Memorial, and bear in mind any amounts that might have been paid previously. Then, if they thought the Memorial well-founded, they would redress the grievance out of the surplus. This proposal made a very small demand on the Church surplus indeed, in comparison with others already submitted, or about to be submitted, to the House. He thought only about £300,000 or £400,000 would be required; and the Committee, whom he represented, were quite willing, if necessary, to agree that the total sum to be expended in this way should be limited to £500,000. He did not intend, either, that this Bill should conflict with the passing of the National School Teachers (Ireland) Bill. He rather desired, if he might use the expression, that they should run side by side; and, if the House co-operated, he trusted that both these Bills might pass that Session, late as the time now was.

MAJOR NOLAN said, he would not oppose the first reading of this Bill; but it was only to be expected he should look at it with a certain amount of natural hesitation. He remembered reading in the Conservative organ of Dublin, *The Daily Express,* at the time when the Chief Justiceship was vacant, and that paper was urging the claims of Mr. Whiteside, that it said that Protestants should look rather kindly on his promotion to that post, because he construed the Church Act liberally; whereas if he had construed it harshly the incumbents of the Irish Church would have got £1,000,000 less than they received. That seemed to him very strong evidence that the Act had not been harshly construed. He knew very well the incumbents in the town in which he lived were not harshly treated, and it was their opinion also. Although they spoke very strongly against the Bill, they admitted that its provisions were extremely liberal. Indeed, he believed that a number of the junior clergy only entered the Irish Church in order to obtain compensation. He could not allow that this Bill went on all fours with his. He had no objection to it as it stood; although he thought there should be some accompanying advantage introduced for other denominations. When they came to ask for £500,000 it was a very serious matter for any one denomination to claim.

MR. DILLWYN said, the noble Lord the Postmaster General had just introduced a Bill merely for the purpose of circulating it during the Recess. If the hon. and learned Member (Mr. Plunket) had introduced this Bill for the same purpose he should have no objection to it; but, at the beginning of August, it was utterly impossible that a measure of this kind could receive the consideration it ought to have at the hands of the House. He did not like, in courtesy to the hon. and learned Member, to oppose the first reading; but he hoped no attempt would be made to press it at that period of the Session.

MR. M. BROOKS said, the Bill would, when understood, have the support of a large number of Members on both sides of the House, and of his hon. and gallant Friend (Major Nolan).

Motion *agreed to*.

Bill to amend "The Irish Church Act, 1869," and to provide further compensation to certain persons, being Priests and Deacons of the late Established Church of Ireland, *ordered* to be brought in by Mr. DAVID PLUNKET, Sir ARTHUR GUINNESS, Mr. MAURICE BROOKS, Mr. EWART, and Mr. KAVANAGH.

Bill *presented*, and read the first time. [Bill 266.]

UNIVERSITY EDUCATION (IRELAND) (NO. 2) [FELLOWSHIPS, &C. PENSIONS, &C.]

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the payment, out of moneys to be provided by Parliament, of the charge for the creation of Exhibitions, Scholarships, Fellowships, and other prizes, and of the erection of suitable buildings in connection with the University; also of retiring Pensions to any officers of the Queen's University who may be deprived of their office under the provisions of any Act of the present Session to promote the advancement of learning, and to extend the benefits connected with University Education in Ireland.

Resolution to be reported *To-morrow*.

PUBLIC OFFICES (FEES) BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill to provide for the collection, either in money or by stamps, of Fees payable in Public Offices, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented*, and read the first time. [Bill 266.]

LOUGH ERNE AND RIVER (CONTINUANCE) BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill to grant further time for proceeding with the execution of works for improving the navigation of the Lough and River Erne, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. JAMES LOWTHER.

Bill *presented*, and read the first time. [Bill 267.]

METROPOLITAN BOARD OF WORKS (MONEY) BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill for further amending the Acts relating to the raising of Money by the Metropolitan Board of Works; and for other purposes relating thereto, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented*, and read the first time. [Bill 268.]

House adjourned at a quarter before Three o'clock.

HOUSE OF COMMONS,

Wednesday, 30*th July*, 1879.

MINUTES.] — SELECT COMMITTEE — *Report* — Contagious Diseases Acts [No. 323].

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES, Class IV. — EDUCATION, SCIENCE, AND ART.

Resolutions [July 29] *reported*.

PUBLIC BILLS—*Ordered*—*First Reading*—Tipperary Boroughs * [271]; Endowed Schools Acts Continuance * [272]; Regulation of Railways Acts Continuance * [270].

Second Reading—Judicial Factors (Scotland) * [257].

Considered as amended—East India Loan (Consolidated Fund) * [201].

Third Reading—Municipal Elections (Ireland)* [256], and *passed*.

Withdrawn—Teachers Organisation and Registration * [101]; Employers' Liability * [103]; Valuation of Property * [71].

ORDERS OF THE DAY.

PRIVILEGE — (TOWER HIGH LEVEL BRIDGE (METROPOLIS) COMMITTEE.)

PETITION.

MR. SPENCER WALPOLE moved that the following Petition of John Sandilands Ward be taken into consideration:—

"To the honourable the Commons of the United Kingdom of Great Britain and Ireland assembled, "The humble Petition of John Sandilands Ward, now a prisoner in the custody of the Serjeant at Arms attending your honourable House,

"Sheweth,

"That the Petitioner has not only suffered very much from loss of liberty, but his health has been seriously affected in consequence of his imprisonment by order of your honourable House, as is shewn by the certificates of Dr. Sieveking, Physician in Ordinary to the Queen, and Dr. J. H. Waters, of which the following are copies:—

"'July 29, 1879.—I have this day, in the presence of Dr. Waters, examined Mr. J. S. Ward, and find him affected with diarrhœa, headache, and great depression of spirits. Ten years ago Mr. Ward suffered in a similar manner, and was then obliged to withdraw from business for eight months; there is just reason to fear that if his present symptons become aggravated by prolonged imprisonment, a similar or worse nervous malady than that which occurred before may return.—(Signed) Edward H. Sieveking, M.D., Fellow of the Royal College of Physicians.'

"'July 29th, 1879.—I certify that I have this day seen and examined Mr. J. S. Ward, in conjunction with Dr. Sieveking, and find him suffering from symptoms of nervous irritation and debility, and am of opinion that these symptoms will lead up to a severe illness, similar to a former attack from which he suffered some nine years ago, unless his present confinement, and the trouble consequent on it, ceases. —(Signed) J. H. Waters, M.D.'

"That your Petitioner entirely submits himself to your honourable House, and begs to express his unfeigned sorrow and regret for having incurred its displeasure, but he ventures most humbly to hope that your honourable House will deem that the harassing imprisonment your Petitioner has already undergone, and the very serious loss and inconvenience thereby entailed upon him, are a sufficient expiation of the offence against the privileges of your honourable House, of which he has been adjudged guilty.

"Your Petitioner therefore humbly prays that your honourable House will order his discharge out of custody.

"And your Petitioner, as in duty bound, will ever pray.

"Dated this 29th day of July 1879.

"J. SANDILANDS WARD."

THE CHANCELLOR OF THE EXCHEQUER: I propose to move now—

"That John Sandilands Ward, having entirely submitted himself to this House, and expressed his sorrow and regret for his offence, and having already suffered in his health, be discharged out of the custody of the Serjeant at Arms, on payment of his fees."

The case is one in which, under ordinary circumstances, I certainly should not have recommended the House to take any steps for the discharge of Mr. Ward until the close of the Session; but, having regard to the fact that he has entirely placed himself at the mercy of the House, and expressed his sorrow and regret for his offence, and having regard mainly to the medical certificates which have been presented on this occasion, and which are in the hands of the Serjeant-at-Arms, and with regard to which I think I may say, from the testimony of those who have had opportunities of seeing Mr. Ward constantly during the period of his confinement, there can be no doubt that they do not at all exaggerate the circumstances of his health. Under all these circumstances, I think that the House may fairly and mercifully take the case into consideration, and assent to the Motion which I now submit to it.

MR. W. E. FORSTER: I beg to second the Motion. My first impression was that of the right hon. Gentleman, that it would have been right, and not at all too severe a punishment, that this person should have remained in custody until the close of the Session. I cannot say I think the entire submission to the House would, in itself, have been any reason why Mr. Ward should have been liberated; but, looking at the medical certificates, which are certainly very strong and by a very eminent physician —Dr. Sieveking, I think—the House would hardly think it right to detain him in custody any longer.

Motion made, and Question proposed,

"That John Sandilands Ward, having entirely submitted himself to this House, and expressed his sorrow and regret for his offence, and having already suffered in his health, be discharged out of the custody of the Serjeant at Arms, on payment of his fees."

MR. BERESFORD HOPE: "The quality of mercy is not strained," as we all know; and, therefore, the House will probably do well to accept the Motion of my right hon. Friend, but simply accept it as an act of mercy, and simply on the medical testimony, and, above all, not accept it on any ambiguity. I think my right hon. Friend, in the kindness of his heart and his desire to help a suffering man, has gone a little too far in his account of Mr. Ward's submission, and that it would be a mistake in the cause of justice if it were to be supposed that Mr. Ward had confessed the justice of his sentence, and had verbally retracted that statement of his which has placed him in his present unpleasant predicament. I must bring the House back to the case itself. What was the state of the case? The Committee, over which my right hon. Friend and Colleague (Mr. Spencer Walpole) presided, reported that one class of witnesses spoke the truth, and that another class of witnesses spoke something that was not the truth; that they believed the one class, but did not believe the other. The House, accordingly, believing and agreeing with its Committee, sentenced the two delinquents to imprisonment. One has escaped that imprisonment, and is now swaggering under an alias at an eminently respectable and delightful resort of English visitors across the Channel. The other is in custody, and has made a submission. But what is his submission? Has he retracted his false statement? He has done no such thing. He says—

> "Your Petitioner entirely submits himself to your honourable House, and begs to express his unfeigned sorrow and regret for having incurred its displeasure."

But he takes good care not to say whether that displeasure was incurred rightly or wrongly. It has taken him away from the vicinity of his clients, and has placed him in close proximity to the ticking of the clock. He expresses his unfeigned regret for this; and I think the House will agree with me that no one ever did a questionable thing and found the penalties were disagreeable, who did not very soon afterwards find that Providence had endowed him with a bad constitution. This being the case, and seeing that Dr. Sieveking and another physician say that the confinement is injurious to Mr. Ward's health, for Heaven's sake let him out; but do not allow it to go forth that we believe his evidence, or that he has retracted his false statement.

Mr. MONK: My hon. Friend the Member for Cambridge University (Mr. Beresford Hope) has anticipated me in the remarks I was going to make. I am quite certain that the Chancellor of the Exchequer, in framing the Motion he has placed in your hands, and in the statement he has just made to the House, that Mr. Ward had admitted his offence, really believed that Mr. Ward had so admitted his offence; but in the Petition which Mr. Ward has presented to the House it is quite clear that he has not admitted it. He has expressed his regret for having incurred the displeasure of the House; and at the close of his Petition he calls attention to the imprisonment which he has undergone, in expiation of the offence against the Privileges of the House, of which he had been adjudged guilty. But there is not one word in the nature of an expression of regret for having committed a grave offence against the Privileges of the House. I, therefore, think it is impossible for the House to agree to the Resolution in the form in which it has been submitted to us by the Chancellor of the Exchequer. If the Chancellor of the Exchequer will consent to amend the terms of the Motion, and will quote the words which appear in the Petition of Mr. Ward, I think that, after having received a certificate from Dr. Sieveking of the nature of the one we have before us, the House might very well extend its clemency to Mr. Ward; but that we are to put on record on the Journals of this House a statement that Mr. Ward has admitted his offence when he has not admitted his offence is altogether repugnant to the dignity of Parliament. I hope, therefore, that the Chancellor of the Exchequer will amend his Motion in that sense. If not, I think it would be impossible for the House unanimously to agree to this act of mercy, which, I am sure, we are all anxious to extend to Mr. Ward.

Mr. DODSON: I would really appeal to the House not to continue this discussion. A question has been raised in regard to the dignity of the House; but I doubt whether it is for the dignity of this House to enter into a discussion of this kind. It appears to me that this man has committed an offence against this House, in regard to which the House has found him guilty, and for which he has been punished. That punishment is now about to be curtailed on the score of the state of his health. It seems to me that the proper course, under the circumstances, and what will be most conducive to the dignity of the House, is now to release him on the ground of his health.

Mr. HERMON: I quite agree with my right hon. Friend who has just sat down that it will be conducive to the dignity of the House to release this man from confinement. But I must express here my opinion that the first part of the transaction ought not to have involved the serious consequences from which he is now suffering. As he owned himself, he committed a breach of the Privileges of the House; but he does not appear to have done so from any fraudulent or corrupt motive. But when he came before the Committee he did commit a very serious offence, which ought not to be lost sight of by the House. I am quite willing that he should be discharged from custody; but I think he ought to be brought to the Bar of this House, and called upon to acknowledge his error. The conclusions arrived at by the Committee are of a most serious character, and it is of great importance to consider the words used by the Committee appointed to investigate the matter, when they say that the counter-statements made by Mr. Ward and Mr. Grissell are false. That fact Mr. Ward has never acknowledged; and he does not, to my mind, express himself sorry for his offence against the House, but merely expresses himself sorry for the punishment it has involved. At the same time, I think in the whole of this matter there has been a good deal of unnecessary mixing up of certain persons. I do not think the proposal of the solicitor who first proposed to Mr. Grissell to write down the nature of his proposition was exactly necessary. If, however, in this case Mr. Ward expresses sorrow for what he has done, I think he may now be discharged.

Sir WILFRID LAWSON: I am sure it is the general wish of the House to get rid of this man. The point now is what to do with him. I heard the remarks of the right hon. Gentleman on the front Opposition Bench (Mr. Dodson), and I quite agree with him that we ought to consult the dignity of the House. But I think the dignity of the House would be best consulted by a strict adherence to truth than by anything else. I quite appreciate the Motion of the Chancellor of the Exchequer. He made it in the kindness of his heart, in order to get rid of this man, and not to be too hard upon him. I would make a little alteration in the Motion, and would recite the words which the man puts in his own Petition. That makes no statement at all as to whether the man is guilty or innocent; but in it he simply submits himself to the House. If the Chancellor of the Exchequer will be so kind as to alter his Motion in that sense, I am sure it will meet with the approbation of both sides of the House.

Sir JOSEPH M'KENNA: Whatever is to be decided upon I hope will be decided at once. There is one point, and one alone, upon which I wish to make a remark. I do not think, since the days when persecution was prevalent, that it was ever insisted upon by the House that a man who was found guilty, and who was subsequently pardoned, should acknowledge the various details of his guilt. We have found Mr. Ward guilty. We are quite confident that he is guilty. We have sustained, unanimously, the judgment of our Committee. The man appears before us now as a man suffering from sickness; and what the House is now asked to do is to turn its attention to the best way in which the Prerogative of mercy can be exercised in getting rid of this man.

Mr. SPENCER WALPOLE: I wish to say one word before the discussion closes. I think the hon. Member for Carlisle (Sir Wilfrid Lawson) did not quite correctly hear the Motion which has been made by the Chancellor of the Exchequer. When it is read again I think the House will find that in the Motion now made the Chancellor of the Exchequer uses the exact words of the Petition, both in regard to the submission, and also in regard to the regret expressed in it.

Mr. COURTNEY: It is desirable that the House should have a clear understanding. I understood the Chancellor of the Exchequer to read these words in the Motion—"having admitted his guilt." ["No!"] That is, certainly, what I understood. If those words are in the Resolution, we wish to have them struck out. If not, of course, the case would be altogether different.

Mr. SPEAKER said, the Question was—

> "That John Sandilands Ward, having entirely submitted himself to this House, and expressed his sorrow and regret for his offence, and having already suffered in his health, be discharged out of the custody of the Serjeant at Arms, on payment of his fees."

Motion *agreed to.*

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

EDUCATION CODE—ELEMENTARY SCIENCE.—RESOLUTION.

Sir JOHN LUBBOCK rose to move—

> "That it would be desirable to modify the Code of Education by adding Elementary Science to the subjects mentioned in Article 19, c. 1."

The hon. Gentleman stated that object lessons were introduced in the early part of the school course, and that it was very desirable that they should be continued in the Second and Third Standards by adding elementary science to that class of subjects. The suggestion, since he last made it, had been gradually gaining adherents, including no less an authority than the London School Board. He might remind the House that the Committee which sat on Elementary Education in 1868, and the Royal Commission on Scientific Instruction, strongly recommended that elementary science should form a part of the National School system. Many of Her Majesty's Inspectors of Schools were also of the same opinion; and he could quote in favour of his views the almost unanimous voice of those who had devoted themselves most successfully to the education of the people—such men as Dean Dawes, Mr. Henslow, Mr. Ellis, and Sir James Kay-Shuttleworth. Lastly, he might refer to those whom in this matter he regarded as, perhaps, the highest authorities of all—namely, the children themselves. Wherever elementary science was taught they welcomed it with a warm interest. He did not seek to impose any new duty on the Department or on schools, but only to leave them an option. The practical difficulties in the way were quite imaginary; and his proposal, so far from upsetting the equilibrium of the Code, would for the first time establish it, seeing that at present the Code was entirely one-sided, all knowledge of natural phenomena being excluded. He admitted that it would not be desirable to impose new duties on school managers or committees; but he did not propose to do so. Quite the contrary; his wish was to remove an objectionable restriction. His proposal would, therefore, not make the Code more complex, but the reverse. The present system crammed the heads of the children, and overtaxed their memories. A string of verbs, or dates, or names of Kings, was a mere matter of recollection. He wished, on the contrary, that a portion of the school-time should be devoted to explanations of the common phenomena of nature, which experience showed had a strong interest for children. It was often said that it was ridiculous to teach "ologies" before the children could read and write thoroughly. But, in the first place, it was a misnomer to call the lessons he proposed "ologies;" secondly, it should be remembered that when children were learning to read they had to read something, and the question was, what that something was was to be? The real difficulty was that we had no good old Saxon word in use among us for "natural science." If we had any expression equivalent to the German word *Naturkunde*, he believed that the House would unanimously adopt the present Resolution. He was, however, compelled to use the word "science," though, unfortunately, he immediately frightened hon. and right hon. Gentlemen opposite. Contrary to what was believed in some quarters, his proposal would really not involve any appreciable cost. The little books would come to no more than those on history or grammar; while the sun, moon, and stars, rain and dew, wind and light, air and water, heat and cold, stones and flowers, were before us all; and even if a few objects as illustrations were required they could be obtained for a few shillings. He wished for nothing difficult or abstruse, nothing beyond the range of the children's minds and daily experience. In mechanics the simple forces might be explained to them —why carts were put on wheels, how levers and pulleys acted, the use of the screw and wedge; then the nature and relative distances of the principal heavenly bodies; in agricultural districts the primary facts relating to air and water, the character of the soil, the reason for the rotation of crops, the origin and principal qualities of such substances as chalk, coal, iron, copper, &c.; the succession of the seasons, the flow of rivers, the growth of plants; the fundamental rules of health, the necessity for ventilation and cleanliness; and, last, not least, the need for industry, frugality, and economy. Explanations of these simple and every-day things would be most interesting and useful to the children. So far from cramming and confusing them, you would introduce light and order into their little minds, and give them an interest in their lessons which, under the present system, they rarely felt. So much for the educational side; but, before sitting down, he wished to say one word with reference to the Amendment from the point of view of local self-government. Much of our freedom and success in Parliamentary government was due to the training afforded by our municipal and other local institutions, and he confessed that he viewed with some apprehension the present tendency to centralization. He was not asking that any new duty should be imposed on localities, but only that they should have a power, which, practically, they possessed until the last few years, and which the Education Department had every year reported to have been exercised with discretion. Several school boards, including that of the Metropolis, were anxious to try the system; and in the interest, therefore, of local self-government, in the interest of education —nay, more, in the name of the children—he asked the House to sanction his Resolution.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it would be desirable to modify the Code of Education by adding Elementary Science to the subjects mentioned in Article 19, c. 1,"—(*Sir John Lubbock,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

COLONEL BARNE hoped the House would reject a Resolution the effect of which would be to increase the expense of education.

SIR JOHN LUBBOCK explained that such would not be, and was not meant to be, the effect of his Resolution, which was merely to substitute one subject for any other contained in the 19th Article of the Code.

COLONEL BARNE said, that if the hon. Member did not propose to add to the expenses of education in this country there could be no great objection to the Resolution; but if it would have that effect, it was a proposal which, in these hard times, ought to be resisted on behalf of the ratepayers.

LORD EDMOND FITZMAURICE said, that, while he could not agree with the hon. and gallant Member opposite, he was bound to say he thought his hon. Friend the Member for Maidstone had approached the question from one point of view only, and had not sufficiently regarded certain and other important effects which would flow from his Motion, and which were worthy the attention of the House, one of which was the effect the adoption of his Motion would have upon elementary teachers. He had had for some time on the Paper the following Notice:—

> "To call attention to the expediency of establishing a series of higher standards in Night Schools; and also to the unnecessary number of examinations, and the difficulty of some of the subjects required of pupil teachers and students in Training Colleges."

It might not appear, at first sight, what the connection was between those subjects and his hon. Friend's Motion; but if that Motion were adopted it would become obligatory, instead of permissive, as at present, for all elementary teachers to have passed an examination in natural science, and all school managers would require that the teachers should be competent to teach natural science. That would be a great addition to the already heavy burden placed on the shoulders of pupil teachers and Colleges. There had, within the last 15 years, been a steady, a constant, and an enormous increase in those burdens. The following subjects were, practically, compulsory upon students during their first and second years in the Training Colleges:—Learning by heart, reading, penmanship, school management, grammar, composition, geography, history, arithmetic, algebra, mensuration, geometry, political economy, and, he supposed, to cheer those whom the teaching of political economy had made dull, vocal music. There were, in addition, elementary classics and science, which were not strictly obligatory; but the inducements held out to take up one or the other might be regarded as rendering it a matter of compulsion. He asked the House whether, if his hon. Friend's Motion were adopted, there would not be, so to say, a further tightening of the girths? In fact, natural science would become a strictly obligatory subject of examination. What they should look for, in his opinion, was not so much the teaching of science as for what used to be called object lessons. There were two points he desired to press on behalf of the unfortunate pupil teachers and students to whom he had referred. He did not think the Education Department sufficiently appreciated the great difficulties under which knowledge had to be acquired by the children of the labouring classes of this country. The House was not now drawing up a merely abstract Code which they would wish to see complied with. They were dealing with girls and boys, women and men, and they ought to bear in mind the class of life from which they were drawn before they placed upon them additional burdens. It was a different thing for a University man to shut himself up in his room, and "sport his oak," as they call it at Cambridge, from what it was for a poor boy to study amid the numerous surrounding distractions of his narrow home. He had positively known cases in which the minds of boys had given way under the strain which was put upon them. A pupil teacher or student, from the time he became such until his leaving the Training College, had to pass no fewer than eight examinations, and there was no break in their continuity. No sooner had they passed one examination than they had to prepare for another. At the University of Cambridge examinations were held at considerable intervals, and no one was worried by them. Then, again, in subjects to which they were now asked to make an important addition, the standard required was absurdly high. The standard, for instance, in the case of high mathematics required in a pupil teacher last year at the Training College was positively higher than was required for the ordinary Bachelor of Arts degree at Cambridge. Many hon. Members he saw present would agree with him that there was no greater tyrant than a Cambridge mathematical man. Now, the system of which he spoke had grown up under the auspices of a gentleman of whom he desired to speak with every respect—an eminent Cambridge mathematician. The tyranny which they had succeeded in shaking off in Cambridge had been transferred to the Training Colleges by a very eminent Cambridge mathematical man, Mr. Sharpe; but he hoped his noble Friend the Vice President of the Council would put his foot down, and would not allow himself to be bullied by any of those Cambridge mathematical men. It was an intolerable tyranny that a person, however learned in other subjects, should be debarred from becoming a teacher of elementary subjects merely because he did not happen to be thoroughly versed in high mathematics. His noble Friend would, he trusted, inform the permanent officials of his Department that the opinion of many persons whom he (Lord Edmond Fitzmaurice) could name, to whom he had spoken, and who were capable judges of the matter, was that the state of things to which he had directed the notice of the House was absurd and ridiculous. He believed that his noble Friend had already lightened the load of the unhappy pupil teachers so far as regarded the extent to which they were required to learn poetry and prose by heart; and he hoped he would go further in the same direction as regarded other subjects, and would transfer the higher mathematics from the obligatory to the voluntary column. Another point in his indictment against the present elementary education system was, that the standards of instruction in night schools were so low that they tempted the children of the working classes to go to such schools instead of to day schools, to the detriment both of their health and education. Night schools should, in his opinion, be places to which working-class children could go with advantage after they had learnt all they could in the day schools. A Committee of the London School Board had been, or was about to be, appointed to consider this subject, and he was informed that the system he recommended had been at work for some time in Glasgow, and with the best results. He had brought forward the first subject to which he had referred, because of the impression made upon him last winter by cases with which he became acquainted, in which the cruelty of the existing system of examination had caused a breaking down, not only of physical health, but, worse still, of mental capacity.

Mr. BERESFORD HOPE said, the comparison which had been so well made between the standard of mathematical teaching in the Universities and the standard of mathematical teaching in Training Colleges was to those who were familiar with the system of the

Universities pregnant with meaning. The great evil in our educational movement was a confusion of means and ends. Surely the objects of any Training College should be to produce instruments, not only capable, but willing, readily and cheerfully, to discharge the useful, though, perhaps, humble, service of training the children of the labouring classes satisfactorily to perform their duties in life. The present system tended to the production of the unknown genius—the philosopher masquerading as a village schoolmaster. They might be certain that a man who was very learned in the higher branches of mathematics would not be on the best way for making a good teacher of the three R's; for, having the power to soar into the nobler regions of the binomial theorem, and of quadratic equations, he would despise those rudimentary branches of education. The present system reminded him of that of the magnificent horticulturist who spent thousands a-year upon his vineries only to produce a few show bunches of grapes. With regard to the question of the fairness of giving repetition a place in examinations, he might say that when he was at Harrow the idea of reciting from memory at an examination was never dreamt of. A desperate attempt was, indeed, made at one time at that school to galvanize the system of repetition into life by prizes for running it off in quantities; but the attempt was not successful. In short, repetition could never be a true standard of competitive merit. With regard to the suggestion that had been made as to the expediency of raising the standard of teaching in night schools, he wished to point out that if the alternative subjects that had been named were admitted into a school of the kind, its manager would never engage a master who was not competent to conduct the night department with its enlarged curriculum. It would accordingly bring about in an indirect way the very mischief against which, in its direct shape, his noble Friend protested. He invited his noble Friend to re-consider the matter in this light. He should not be able to vote with the hon. Member for Maidstone, and he hoped that the Education Department would not forget the weighty warnings given them by the noble Lord.

MR. RAMSAY said, it was not from any indifference to education that he hesitated to attribute so much importance to the teaching of science. The question resolved itself into one of practical difficulty in carrying out the object which his hon. Friend (Sir John Lubbock) had in view. His (Mr. Ramsay's) objection was that children up to 11 or 12 years of age were heavily taxed in acquiring any knowledge of the elementary branches of science in elementary schools. He felt that if it was desirable to add to the Code the elements of natural science care should be taken that they were taught by men perfectly versed in those branches of science in which they gave instruction. The noble Lord (Lord Edmond Fitzmaurice) had referred to the difficulty in the way of teachers at the present time acquiring sufficient knowledge to pass examinations in science. There could be no doubt that these examinations were heavy. In normal schools the elements of natural science were taught, and the students acquired some knowledge in these branches; but he doubted whether that knowledge was such as to enable them to teach the elements of natural science with success in the schools in which they might be employed. His objection to this system of instruction was that the number of branches which the children were required to learn was too great rather than too small. Too many subjects were forced upon them; and unless they could develop greater natural power on the part of the pupils he thought it would not, at the present time, be expedient to require from the teachers that they should give instruction to any class of children under 13 years of age in elementary branches of science. If they were dealing with children over 13 years of age he should take a different view of the case; and, under these circumstances, he would admit that it would be desirable to teach the children the elements of natural science. Children between 11 and 13 might not only derive information, but be very much interested in acquiring knowledge in any branch of natural science taught by the teachers; but the difficulty which forced itself upon him arose from the fact that the younger children were now over-taxed. Until the standard of the Education Department was reduced he should not feel himself bound to support the Motion of his hon. Friend.

SIR BALDWYN LEIGHTON entirely agreed with the noble Lord (Lord Edmond Fitzmaurice) in his observations, and the hon. Member opposite (Mr. Ramsay). He (Sir Baldwyn Leighton) thought the training of teachers was being carried too far. The acquirements expected from them were such that in country districts it was often found very difficult to obtain the services of a teacher. He hoped the noble Lord the Vice President of the Council would reject the proposal of the hon. Baronet. Possibly, if the study of mathematics in Training Colleges were to be reduced from the present high standard, it might be expedient to introduce some elementary science, and even other practical subjects, into the curriculum of teachers; but, at present, he thought the introduction of this subject would not be at all desirable.

SIR EDWARD COLEBROOKE said, as he understood the Motion, it was intended to place elementary science on a par with poetry and other subjects of a kindred character. The pupil teachers had power, under the existing rules, of passing examinations on subjects of science, and they were, in fact, invited to do so. It had fallen to his lot to submit to the Education Department that science had been unduly favoured under the Code. There was a common belief that, under the operation of the Code, language had been unduly taxed and scientific subjects favoured. That, he knew, was the opinion of a large number of the Inspectors. His object was to put these subjects on a par, and he was very glad to take the opportunity of discovering any preference for what were called University subjects. An opportunity should be afforded the teachers to qualify for instruction. Of course, he was aware that science must always be heavily weighted in the struggle, because it was the natural bias of the young mind to turn far more towards poetry than to science.

MR. LYON PLAYFAIR said, a very simple question had been complicated by the speech of his noble Friend (Lord Edmond Fitzmaurice). Many persons might approve of the proposition that elementary science should be added to the subjects of tuition, and many might also disapprove of the high-class training which was given to the teachers in training schools. This latter question, however, was entirely beside the question which was before the House. The simple issue was, whether elementary science should or should not be constituted an optional subject in connection with our ordinary school education? It seemed to be thought by some hon. Members that if the Amendment before the House were passed, teachers in training schools would be obliged to learn the subjects of natural science. This, he desired to say, was a misconception. Should they, then, allow teachers, who had been taught natural science as an optional subject, to impart instruction in the ordinary phenomena which were continually presented to children? Should not children, he asked, be taught something respecting the air they breathed, the water they drank, and the food they ate? This was organic chemistry—if they wished to call it by a big name—but, after all, it simply meant that the children should have an intelligent knowledge of what they met with every day of their lives, from the first moment when they breathed air until the last moment when they could no longer breathe air. The difficulty in the way of providing this knowledge would not be found to come from the teachers, who generally knew enough of elementary science, but from Her Majesty's Inspectors of Schools, who, for the most part, had not acquired an elementary knowledge of science, and who, consequently, disliked the subject. If these Inspectors had been taught at the Universities the subjects coming under the head of natural science, they would understand themselves that such things were most fit and necessary to be taught to the children. It was that which ought to be the great inducement to the Education Department, if they desired those things to be taught which were so essential to the happiness and comfort of the poorer classes, to see that the Inspectors they appointed should know something of the subject under discussion. With regard to elementary science in mining districts, would it not be extremely useful and important to teach children to know something of the dangers they would meet in their work in the mines, of which they were commonly so negligent and ignorant, and in many cases did not know how to avoid? Those were points—it might be called science, if it was chosen—but they were simply an intelligent knowledge of phenomena which children, as well as men, continually met at all periods of life. That argument might be followed in almost any phase of life. Take, for instance, agriculture. Would it be called high science to teach a child, whose life would be spent in the fields and in connection with agriculture, something regarding the air, food, and the earth, food of plants, the use of manure, and such kindred subjects? That was the proposal of the hon. Baronet the Member for Maidstone. He simply said he did not ask that it should be made compulsory; but he asked that a teacher should be allowed, where he had the knowledge, to adapt that knowledge to the wants of the children in whatever position they might be placed. Let the agricultural child have the knowledge of that which surrounded him. But it need not be compulsory. Let it be optional, and given as a matter of good will between the teacher and his children. It was not suggested that any expense should be incurred. He believed that voluntary effort would give any such illustrative objects as were needed, especially if the teaching was to be optional. The request of the hon. Member for Maidstone, who asked neither for compulsion nor expenditure, was such a simple one that he could not help hoping the Government would refrain from opposing it. The time had undoubtedly come when it was desirable to spread such useful knowledge as that which he had indicated; and he, therefore, trusted that the proposal of his hon. Friend would be carried out with no more delay than was unavoidable.

LORD GEORGE HAMILTON said, he did not altogether agree with the statement of the right hon. Gentleman who had just sat down, that the speech of the noble Lord the Member for Calne (Lord Edmond Fitzmaurice) was not germane to the subject before the House; for there were, in that speech, some arguments of a very pertinent and weighty character. When the hon. Baronet (Sir John Lubbock) brought forward his proposal last year, he (Lord George Hamilton) stated that the Education Office would be most anxious to consider the views of the hon. Member, and would see whether the practical difficulties standing in the way of the proposal could be overcome. Since he had so answered the hon. Baronet, he and his Colleagues had communicated with a number of gentlemen on the subject before the House, who were capable of giving valuable information and advice, and he would now acquaint the House with the result of those communications. The concluding part of the speech of the hon. Baronet was, he contended, a little misleading. The hon. Baronet made an appeal to the House on behalf of local government, asking that the different localities might have some option with regard to the subjects to be taught in their schools, and concluded by saying that the great branch of human knowledge to which he was drawing attention was excluded from the school curriculum. This, however, was not a perfectly correct statement of the case, as there existed nothing to prevent a competent teacher from giving instruction in elementary natural science to the children under him. But a teacher was not necessarily paid for giving such instruction, and the object of the hon. Baronet was that he should be paid. At present everything in the Elementary Education Code was defined and clear; but the reverse would be the case if the Resolution were passed, because what the hon. Baronet wanted to do was to bring in the subject of natural science and make what is called "a class subject" of it. The first objection to that was, what was the definition of natural science, so as to know what a child was to be taught and in what an Inspector might examine him? Natural science, as he stated last year, included every branch of human knowledge, except, perhaps, history and moral philosophy. There was a large number of excellent teachers who obtained certificates to teach; and if any one of these teachers happened to be out of a place, he or she would be asked—"Can you teach elementary science?" That would be, probably, the first question put to him, and it would be pointed out that the Education Department had laid down the rule. In such a case it would be found that a considerable obstacle would be put in the way of a most excellent teacher obtaining employment. Since last year the Department had had this matter constantly under their consideration; and he said unhesitatingly—although a considerable number of eminent persons' opinions might be quoted in favour of the Resolution—the balance of opinion was against it. This was more true of the teachers than even of the Inspectors. Dr. Gladstone, a prominent member of the London School Board, had given much attention to this subject, and last year he delivered a lecture at the Society of Arts, of which a copy had been sent to him (Lord George Hamilton). Dr. Gladstone had been asked to make out a course, and that course had been sent in; but Dr. Gladstone said that, although it might be suitable for the London School Board schools, he should not take the responsibility for prescribing for the schools in the country. There, then, was another difficulty. They were told that in Germany this class of instruction was given to the children; but there the system of instruction was quite different. The Education Department had altogether abandoned the practice of prescribing a text-book. He agreed with the right hon. Member who had just spoken that the best way to meet this difficulty would be that the managers of different schools should take particular care as to the particular text-books used as reading books in the schools. So, in the mining districts, the manager of a school would take the trouble to obtain such a text-book as would impart the various information referred to by the right hon. Gentleman. But this was information which they could get in the ordinary reading lessons. As to this point, he could only refer to what he said last year. It was said that only 5,000 children had passed in science; but the number was 45,000 in specific scientific subjects, and the number would have been greater only that children were not allowed to compete until after they had passed the Fourth Standard. The hon. Member for North Lanarkshire (Sir Edward Colebrooke) rather complained that the Education Department had ousted the older subjects, and given preference to scientific subjects; but it was satisfactory to learn that, so far from the country schools not holding their own in classical examinations, they had succeeded in beating children from the town schools. In Latin and Greek the children in the country schools had passed better than the children in towns. Then his noble Friend asked that opportunities should be given to those attending night schools to pass in the higher standard and receive instruction in science and other subjects. The night schools were rather excrescences, so to speak, upon the education system, and, with the small number of attendances, it was impossible to pass in the higher standards. No doubt, in many cases the opportunities were availed of, and at the present moment he should not like to give a definite answer on the point. Another point to which his noble Friend had alluded was the alleged intense stringency of the tests imposed on pupil teachers; but he doubted whether, under existing circumstances, there was much proof of that allegation. All that he himself had heard from pupil teachers was rather in favour of increasing the stringency of the tests than otherwise. He quite agreed that they ought to do everything they could to give such an instruction to children of elementary schools as would develop their intelligence and would be useful to them in after-life; but he could not see his way to getting over the practical difficulties to which he alluded, and, therefore, the Department could not accept the Motion.

MR. W. E. FORSTER said, he would only detain the House a few moments, after the speech they had heard from the noble Lord. He was glad to learn from his speech that the noble Lord and his Colleagues had been seriously considering this subject; and although the Government were not as yet able to accept the proposal made to them, he had no doubt that when they had further weighed the matter the difficulties would grow less and less. There were two objections. It was said that if the suggestion of the hon. Member for Maidstone were adopted much more labour would be involved so far as the teachers were concerned, and that there would be great difficulty in defining what were to be the lessons given. But his noble Friend had mentioned a third objection which he thought rather contradicted the other two. He had said that if they allowed this choice it would be so much more easy to teach, and so much more practical that it would drive out the other subjects. Well, if it were easier to teach, the great difficulty of the labour disappeared. By the principle of results, which laid at the very basis of their educational arrangements, it would be found of more practical advantage to the children, and that was precisely the object which they wished to attain. As for increased labour to teachers in regard to the addition of a new subject, they were really as much obliged to learn this branch of knowledge now as they would be if the suggestion of the hon. Member for Maidstone was carried out. They were not absolutely compelled to learn it now, nor would they be compelled if the suggestion were adopted. In the 4th Schedule, for the teacher there were several alternative subjects—those which they might study, and for which they would get marks, but which were not compulsory. The elements of physical science formed a part of those subjects, and a knowledge of them was implied, sufficient to qualify for teaching young classes. Then, the higher mathematics formed one of those possible subjects which were not compulsory. By Article 21 of the Code a grant of 4*s*. was given to every scholar who passed a satisfactory examination in two of the specific subjects. One of those specific subjects was elementary science. In the table of Schedule 4 there would be found the subjects physiology, mechanics, and botany, these more than covering the proposed addition. Well, if the managers wanted their teachers to earn the money for elementary science under Article 21, they would say they must have a scientific teacher in the same way as if what was proposed by the hon. Member for Maidstone was carried out an elementary scientific teacher would be required. It would, in either case, depend on the managers, and they would be as likely to adopt the same course in one case as the other; and there was, practically, just as much pressure brought on the teacher in regard to these special subjects now as before. He believed the real difficulty lay in defining the lessons to be given, and the actual practical difficulty of bringing science into the standard of examination. In Article 28 there was a technical subject list. When they got into Standard 4 they found they had optional examinations in grammar, geography, and history, with definitions of the requirements under the different heads. Well, the difficulty would be imposed on the Department of having something corresponding with this definition. He believed his hon. Friend had hit the difficulty—namely, that the Inspectors were more ignorant of science than anything else. Many of the Members of that House felt that they had not been properly taught elementary science. But he believed that was not an insuperable difficulty. Let them obtain from Germany an exact statement of the operation of the law as to these examinations. If his hon. Friend went to a Division he would support him; but he would advise him not to do so, as he wanted the Department to consider the subject thoroughly for another year. He would repeat, in a word, the argument of the hon. Member for Maidstone. He had said that, in this class examination, they should give 2*s*. or 4*s*. to each scholar of 17 years of age if they passed an elementary examination on certain subjects. He did not think that would interfere with the needlework included in the present programme; and, so far as the rest of it went, it would mean that with the boys science and history would be taken instead of grammar and history, or science and geography instead of grammar and geography. The only question was this—Was elementary science as desirable as these other three subjects? Well, he liked the study of history and geography, but he did not think it was more necessary than science; and those who thought the acceptance of this proposal would lead to cost were wrong, because it would merely be the substitution of one subject for another. Well, he did not see why important results should not be produced in many districts by the adoption of this proposal. He was convinced that, if more attention was given to this subject, the difficulties which at first presented themselves would disappear. He would conclude by making this suggestion — that the Department should find out between now and next Session how this was done in Germany, and should tell the Inspectors that they must acquire a little knowledge of elementary science in order that they might be able to conduct examinations in natural science.

Question put.

The House *divided:* — Ayes 80; Noes 48: Majority 32.—(Div. List, No. 199.)

NATURAL HISTORY MUSEUM, SOUTH KENSINGTON.—OBSERVATIONS.

Mr. E. JENKINS rose to call attention to the present form of the buildings for the Natural History Museum at South Kensington. He had given Notice of a Resolution, which he could not, owing to the Forms of House, now move—

> "That it appears from their existing state that a deception has been practised on this House in relation to the plans and estimates, and that a Select Committee be appointed to investigate the matter, with power to call for papers and to examine witnesses on oath, and to report to this House."

He said he was sorry to stand between the House and the Committee of Supply; but the terms of his Motion were of such a startling character that he deemed it advisable to bring it forward at the earliest moment. In 1870 the then Chancellor of the Exchequer (Mr. Lowe), in answer to a Question from the hon. Member opposite (Mr. Beresford Hope), said the Report of the Committee appointed to inquire into the disposal of the Natural History Collection at the British Museum, which recommended the erection of a Natural History Museum on the Thames Embankment, could not be carried out without taking a considerable quantity of ground belonging to the pleasure ground on the Embankment, and that no steps had been taken to carry out the Report. The Government for the time being were of opinion that a Natural History Museum would be better situate in the suburbs than in some central place in town, where people might conveniently get at it; and, consequently, that all-absorbing place, South Kensington, was selected as the site for a Natural History Museum. The original Estimate for £350,000 included a description of an entire building. The next reference to the building showed that that Estimate had not included fittings, and that the cost of the building would be increased by £45,000. After accepting certain estimates and plans the Government had been induced to make additions to them without first consulting Parliament. Last year an enormous Estimate was sprung upon the House for £171,000 odd for internal fittings, and that was only an approximate Estimate. He wished to know who was responsible for the deception of Parliament? He had seen the building the other day and found that the scaffolding was being stripped off before the two towers were completed—and without any intention of completing them—in order that the two annexes might be added to the building. Immense factories had been erected in the centre of the ground, for what purpose he knew not, except it might be to boil whales. The House had, year after year, been jockeyed into expenditure on South Kensington. It might have been desirable that that expenditure should take place; but the House had not been dealt fairly with. The matter was one of some importance, considering how much money had been spent on Museums at South Kensington.

Mr. BERESFORD HOPE said, he had listened with much interest to the ingenuous speech of the hon. Member. It was refreshing to hear a young mind brought to bear upon the existing state of things with so slight a knowledge of the antecedent circumstances. The hon. Member had drawn a very formidable indictment against two delinquents whom he wished to crush—namely, the South Kensington authorities and Her Majesty's Government; only it was unfortunate that neither of them was at all concerned in the matter. The building in question was a branch of the British Museum, and the persons who had brought about the present state of affairs were the Members of the Liberal Governments under which the country had flourished till five years ago. Parliament became pledged to this particular way of dealing with these collections on one memorable occasion some 15 or 16 years ago—when Lord Palmerston, for one night only, left the Leadership of the House in the hands of his Chancellor of the Exchequer (Mr. Gladstone), who succeeded in inducing the House to purchase the site of the Exhibition building, and then tried hard to get them to buy the building itself also, only that they turbulently declined to make the purchase, notwithstanding the subsequent persuasion of Lord Palmerston, who, on return, pointed out that if they would only buy the building, and stick a little plaster on, it would make a very decent Natural History Museum. With regard to the Natural History Museum, it had much better have been placed on the

Embankment. A forlorn hope was led in behalf of this good course by his noble Friend the Member for Haddingtonshire (Lord Elcho), who obtained a Committee of the House to inquire into the matter. This Committee, on which he (Mr. Beresford Hope) served, reported favourably of the plan; but it was too late, and the plea of expense prevailed. Still, if it was necessary to erect the building at South Kensington at all, it was much to be regretted that, owing to Mr. Ayrton's parsimony, it had been found necessary to build it in a hole. He believed that for no greater sum than £7,000 the ground on which the Museum stood might have been filled in to the level of the roadway. Part of the expenses of which the hon. Member complained was due, no doubt, to the fact that the design originally adopted was by Captain Fowkes, who was an engineer, and not an architect, and that, though clever, it was found to be impracticable, and that it was, consequently, necessary to commission the architect, Mr. Waterhouse, who had been called in to carry it out, to prepare an entirely fresh one. On the subject of the increased expense the House might, perhaps, be enlightened by the Government, who probably knew of the matter by tradition, or they might be informed by some Member of the Opposition who could speak from actual experience. He could not see what room there was for deception in the erection of a building ostentatiously carried out, with the full knowledge of successive Parliaments. If it was necessary to boil whales in the interests of science; it must be done, and even the hon. Member for Dundee could not do it in a tea-kettle. The building itself was to be a central school of science, in many of its most important branches, and not a place for furriers' refuse. The annexes, no doubt, were not specially artistic, and a great deal might be said against the buildings at the back, and in particular against the chimneys that had been made to look like bell towers; but, after all, the grand collection of the Museum would be exhibited satisfactorily, and then its first object would be gained. The question of cost was one that never could be settled *à priori*, but had to be determined by a tentative process. Probably too small a sum had been originally asked for. That was the whole grievance, and he trusted he had been able to throw some light on the subject.

MR. GERARD NOEL maintained that the charge of deception had not been borne out by the facts the hon. Member had brought forward. The facts as to the plans and estimates were these. In 1864 architects were invited to compete with designs for the Natural History Museum, and the first premium was bestowed upon Captain Fowkes, who was directed to put himself into communication with the Trustees of the British Museum. Unfortunately, however, he died, and Mr. Waterhouse was appointed to carry out his plans. But when the matter was gone into further it was found that Captain Fowkes's plans were totally inadequate; and a printed Correspondence on the subject, which was moved for by the present Judge Advocate General, clearly showed that they were dropped and others substituted in their stead, and that Mr. Waterhouse was appointed architect. It also appeared that certain features of the original design were left out of the Estimate. The salary of the Clerk of the Works, to which exception had been taken, was not included in the original Estimate. As to the Estimates themselves, the first Vote taken was for a sum of £6,000; that was in 1868. But on the 2nd of August, 1870, when a further sum was asked for, it was stated in a foot-note that the total Estimate and the details of the scheme were then still under consideration. This was when Mr. Ayrton was First Commissioner and when Mr. Waterhouse was appointed architect. All this appeared upon the Papers, so that it was not true that Parliament had been deceived. Parliament had known exactly what had occurred from 1868 until the present time. In 1871-2 £40,000 was voted, and £350,000 was the sum named for the total Estimate. In 1872-3 a further sum was voted, and tenders were obtained which amounted to £395,000. Mr. Ayrton at that time struck out many details, among which were the central towers. The original contract had been made in 1868; but it was found in 1872 that since then the prices of labour and materials had risen, so that in 1873-4 the Estimates had to be revised, and £43,000 additional was added to cover the increased prices and to include the salary of the Clerk of the Works and the expenses of warming, ventilating, &c. In the present year, he (Mr. Gerard Noel) had moved to increase the Estimates by £14,000, on the ground that the building would be very incomplete and imperfect if the centre towers were not added, and the Vote was passed two or three months ago. As to the fittings, it had always been understood that those which were necessary for the accommodation of the specimens had never been included in the Estimate. The fittings to which the hon. Member alluded as being so included were doors and other things which were required in any ordinary house. The contract with Mr. Waterhouse expressly stated that it was made exclusive of fittings. With regard to the architectural design, he need not express any opinion, as it had been settled long before he had come into his present Office. He believed it, however, to be worthy of the British Museum and a credit to the architect.

Mr. RYLANDS: Mr. Speaker, the hon. Gentleman (Mr. Beresford Hope), in a burst of his accustomed eloquence, has attempted to draw the attention of the House away from the main point which my hon. Friend had in view in bringing this matter forward. I am one of those who always listen to the criticisms of the hon. Gentleman with reference to questions of fine art and architecture, upon which he is necessarily so great an authority, with the greatest respect; and I am also not unwilling to make allowances for him for the pains he has taken on this occasion for throwing on the former Government the responsibility of the large expenditure which has been incurred on account of the Natural History Museum. The hon. Gentleman has gone out of his way to make an attack upon Mr. Ayrton in connection with these plans. I will, however, say this of Mr. Ayrton—that the country is very much indebted to the late First Commissioner of Works for the constant care and attention which he gave to the expenditure for national purposes, and the control which he brought to bear upon enthusiastic Gentlemen, who, like the hon. Gentleman opposite, are inclined to spend public money upon anything which appears to them to be good and useful in the most lavish way. But I venture to say that all the remarks which the hon. Gentleman has made with regard to national improvements of this sort are in no way questioned by my hon. Friend, and they are certainly not questioned by myself. I agree with the hon. Gentleman entirely that in this sort of national expenditure it would be false economy to stand in the way of any arrangement that might be necessary for the proper care of such a Museum which is to give the opportunity to the public of taking advantage of studying these collections. Upon this point there is not the slightest question. But what is the question? It is not a question, let me say, between the political occupants of the Treasury Bench, whether on one side or the other. We are perfectly aware that when right hon. Gentlemen come into Office for a certain period they find permanent officials of the Government at the Offices. Those permanent officials are continually taking steps which often result in a very large expenditure for certain objects; and what we complain of is that the Government are misinformed by those permanent officials themselves, and, in consequence, bring Estimates before the House in such a manner as to keep the House without full information as to all the facts of the case. That is the complaint which my hon. Friend makes, and I must say that I think my hon. Friend has substantiated his complaint. It may be that the expenditure has been perfectly justifiable; but what we complain of is that the whole amount of the expenditure was not stated at first. It is no answer for the right hon. Gentleman to say that, owing to certain changes in the plans, there has been a considerable addition to the original Estimate. [Mr. Gerard Noel: I did not say there had been any change of plan.] The right hon. Gentleman is perfectly right in correcting me. There is, practically, no change in the plan. The Estimate to which my hon. Friend called attention—the first Estimate of £350,000—was the plan which was approved by Mr. Waterhouse; and, therefore, there is no question as to the previous plans which were adopted by the Government. Our complaint is, in terms, that the whole amount was not stated, and that when the House of Commons considered the matter there was a *suppressio veri.* We see that by the subsequent proceedings, and we are entitled to say that the Votes have been inconsistent with the statements made by the Department.

MR. GERARD NOEL: I said that the first contract was made in the year 1868, and that the tenders were invited in 1872—four years afterwards. During those years the price of terra cotta, labour, and other things, had risen, and there was also the salary of the Clerk of the Works.

MR. RYLANDS: It is true that the contract was made in the year 1868; but we are alluding to the year 1871. It was in the year 1871 that this Estimate of £350,000, for carrying out Mr. Waterhouse's plans, was accepted. That is the Estimate which was laid on the Table, and it was laid on the Table as the total Estimate for the work which had been decided upon, including the "architect's commission, salary of Clerk of the Works, fixtures, fittings, warming, lighting, ventilation, &c." Those are the words. Now, I am not blaming the right hon. Gentleman. He certainly is not responsible, because it was done long before he came into Office. But I must say that I do not think any sufficient answer has been given to the complaint of my hon. Friend. I hope, now that the matter has been brought forward, the right hon. Gentleman will look more closely into the Estimates before giving information to the House.

SCOTCH SOCIETY FOR PROMOTING CHRISTIAN KNOWLEDGE.

OBSERVATIONS.

MR. M'LAREN had the following Notice on the Paper:—

> "To call attention to the Second and Third Reports of the Endowed Schools and Hospitals (Scotland) Commission, and the Appendices thereto, respecting the Society in Scotland for Propagating Christian Knowledge, and to move an Address for Return respecting the Society in Scotland for Propagating Christian Knowledge, incorporated by Royal Charter under Letters Patent granted in 1709 and 1738 respectively, in continuation of the financial information given by the Secretary and Directors of the Society, when examined before the Endowed Schools and Hospitals (Scotland) Commissioners, and printed in the Appendix to their Second Report 1874 (pages 248 to 260), and in continuation of the statement made by the Commissioners, in their Third and final Report 1875, that 'this is the largest fund in Scotland applicable to educational purposes generally;' that it 'may be valued at £200,000, accumulated since their incorporation in 1709 from subscriptions, donations, and legacies, and greatly increased by judicious investments in land. Their annual income is about £6,000' (page 137). The Return to include a Copy of the last balanced annual account of income and expenditure, and to give the names of the schools and teachers, with their salaries, now supported by the Society. Also to show to what extent the Directors have diminished the number of their schools annually since the passing of 'The Education (Scotland) Act, 1872,' as was contemplated in the evidence given by them before the Commissioners; also to show the sums expended annually in promoting each of the four purposes to which the Directors proposed to apply the surplus funds to the Trust, as specified in the Third Report of the Commissioners (page 138)."

The hon. Member said, he was aware that, from the fact of a Division having already taken place on going into Committee of Supply, he could not move the terms of his Motion; and, therefore, he proposed to confine himself to the first part of it, which called attention to the Report of the Endowed Schools Commissioners. The Society for the Propagation of Christian Knowledge in Scotland was founded in 1709, and was entirely a charitable institution. Some hon. Gentlemen seemed to think that it was a private foundation; but no error could be greater than to suppose anything of that kind. The words of the Patent were—

> "We, understanding the charitable inclinations of many of our subjects for the raising of voluntary contributions towards the promotion of Christian knowledge and increasing piety and virtue in Scotland, especially in the Highlands, Islands, and remote corners,"

and so on. That showed that it was not a foundation formed by one individual — as many institutions were — who gave a large sum of money. The Letters Patent sanctioned the collection of subscriptions, donations, legacies, and funds of all kinds for the purpose of propagating Christian knowledge in the Highlands and Islands of Scotland, and in other remote parts. When the Secretary and Directors of this Society were examined before the Commissioners it was seen, as was stated in the Report of the Commissioners, that this was the largest fund in Scotland applicable to religious purposes generally. This fund was now of very large amount, and was, in the opinion of the Commissioners, applicable to educational purposes generally. The Commissioners said—

> "It might be valued at £200,000, accumulated since their incorporation in 1709 from subscriptions, donations, and legacies, and greatly increased by judicious investments in land. Their annual income was about £6,000."

It appeared to him that the Society had been managed, not as one for spending the annual income which they had obtained in the manner pointed out by the Charter and Letters Patent, but as a Society for accumulating large sums of money with which to purchase estates in three or four counties in Scotland. If the money which had been invested in the purchase of estates had been applied for the benefit of the poor illiterate Gaelic-speaking population in the Highlands, and Islands, and other remote parts of Scotland, he thought it would have been far more advantageously spent than in accumulating large sums and buying large estates. The estates were now valued at £192,000. He thought it was a matter very well deserving of the attention of the Government. He knew that the Commissioners had devoted a great deal of attention to the subject; and three of them, Members of this House, and now present, believed that the Government would have done well to consent to grant the information sought for as an unopposed Return. He did not impute any bad motives to anyone; but it was a fact that meetings of the Society were held in secrecy. The subscriptions to the Society had now dwindled down to almost nothing; whereas, formerly, they were very large. He remembered being a subscriber about 40 years ago. There were no subscriptions, no public open meetings, and no information whatever was laid before the public as to what was done with the £6,000 a-year which the Society enjoyed. He thought that, under those circumstances, with the various educational works that were being carried on, and especially having in view the poverty of the people in that particular section of Scotland which was pointed to in the Charter first obtained by the Society — that a great deal might be done with those large funds to promote the interests of the people in those remote districts. The managers of the Society said, in their examinations before the Commissioners, that at one time they had 295 schools under their control and to support. They explained that they did not build the school-houses; but they paid salaries to the teachers, and other charges, as arranged with landowners and others, who agreed to build the houses. But they also said that, in consequence of the passing of the Education Act of 1872, they contemplated surrendering a large proportion of the schools to the School Boards; and at the time they gave their evidence they stated that they had already surrendered 40 schools. Now, he should like to know what was done with the money formerly employed for the support of these schools? He thought the Society should be compelled to give a copy of its accounts and balance-sheet for last year. That was a most reasonable request. There was not an educational foundation in Edinburgh, Glasgow, Aberdeen, or any part of Scotland which did not print and publish its balance-sheet. This Society, however, was a secret Society—he used the words advisedly. Nobody knew anything about their operations; their transactions were conducted in private. It might be the best managed Society in the world, or the worst managed, for anything he knew; but what he protested against emphatically was the secrecy with which everything connected with the Society was done. He held that it was not for the benefit of the public that such large sums should be administered in secret; and he thought this was a case where the House of Commons should take steps to protect the interest of those who were originally intended to be benefited by the Society under their Charters. He might mention, as showing how contrary to the spirit of the original foundation of that Association their present system was, that the first Charter expressly stated that they must never accumulate any fund so that its annual product should exceed £2,000. The Government of the day were jealous of that system of heaping up money and investing it, buying property with it, &c.; and they accordingly restricted the Association to that sum of £2,000 a-year. But, by the second Charter, which the Association obtained some years afterwards, they got that restriction removed; and, therefore, at the present moment, there was no legal obstacle to their buying estates, by means of their annual income, in place of expending it for the benefit of the poor Highlander, to whom the annual income both morally and legally belonged. The Commissioners very properly asked what they intended to do with all that money, now that they proposed to get rid of the schools? and they named certain objects to which it would be applied, among other things, in support of missions, and certain bequests to churches in Scotland; though he held it to be doubtful whether, under their Charter, they had the power to make these grants to churches. There was a great deal of money to be spent, and they made four propositions to the Commissioners with respect to it, which propositions the Commissioners had summarized in their Report. With the fear of the Secretary to the Treasury before his eyes, who, he knew, desired to go on with the Estimates, he would not enter on these propositions, or, indeed, say one-half of what he had intended to say; but what he wished to ascertain by his Motion was, whether this Society had spent any money on those four propositions, and, if so, whether they had any balance left, and how much? In short, he wanted to know what the Society had been doing for the last 12 months? He thought Her Majesty's Government blameworthy in not having at once agreed to give this Return. If they had proposed any limitation or qualification upon the Return, he should have been happy to have met them; but he had got no encouragement, having, on the contrary, been met with a point-blank refusal.

THE LORD ADVOCATE (Mr. WATSON): I think it well that I should interpose at this stage of the discussion, because the Government have been charged with wrongfully refusing these Returns. I do not think it is in the least degree necessary to argue any of the special questions which the hon. Gentleman has raised with regard to the administration of this fund, because it appears to me that the granting of the Return would be objectionable upon grounds entirely apart from what may be the merits or demerits of the present administration of the revenues of the Society. No doubt this Society, which is a body of private individuals associated together for charitable purposes, have now very large funds under their administration. I repeat, that this is a body of private individuals associated together for charitable purposes, for collecting subscriptions and employing them in promoting, according to their views, religious knowledge within the four corners of Scotland. In what manner that ought to be done, and whether they have really discharged the purpose which they set before themselves, are matters which it is not for us to inquire into; but it is ridiculous to suppose that a Royal Charter is needed in Scotland or anywhere else to levy or to collect subscriptions, and to apply them to charitable purposes, or that a bank or any other institution, by obtaining an Act of Parliament, becomes in any sense a public Department or Office, from whom the Government are at any time entitled to call for Returns. No doubt it is a common thing to ask for Returns in continuation of previous Returns; but here we are asked for Returns—

> "In continuation of the financial information given by the Secretary and Directors of the Society, when examined before the Endowed Schools and Hospitals (Scotland) Commissioners, and printed in the Appendix to their Second Report 1874."

I venture to say that if the fact of a body of men, or of an individual, appearing before a Commission of this House, and there giving evidence as to the financial condition of the body of which he is a member, or of his own private affairs, is to be made the groundwork for extracting from him a continuation of that information, that is contrary to all Parliamentary procedure. No doubt, Returns are very widely moved for, and I am sure that the present Government—any more than their Predecessors—are not amenable to the charge of not yielding wherever the demand is reasonable. But if you ask for Returns of this kind simply because information has been given before a Committee, I do not see how any private individual may not be called upon to exhibit the contents of his books, or the particulars of his business. The two things have no earthly connection with each other; and it is a great mistake to put forward in a Motion like this any such fact, as that information has been given before a Committee in order to justify a continuation of that evidence in the shape of a Parliamentary Return. I do not see, if you are to introduce that rule, how any private Society or party who have had a Charter which confers certain privileges upon them would not be liable to be called upon to furnish Returns. That is a matter which is contrary to the practice of this House, because there is an obvious distinction to be drawn between continuing Returns which have been presented from year to year and asking for such Returns as are now asked for. There is the greatest possible distinction between the character of the information to be given in continued Returns and the character of the information which is obtained, and quite legitimately obtained, before a Royal Commission or before a Committee of this House. A Royal Commission, or a Committee of this House, are entitled to ask for and to acquire information of the most delicate and confidential character; but I venture to say that that rule does not in the least degree apply to Returns. But I will not rest upon that alone. In this case there was a very elaborate and searching inquiry carried out by the Commissioners referred to in this Notice under the Schools and Hospitals (Scotland) Commission. That inquiry was directed by this House with a view to legislate upon the subject-matter of these very schools and endowments, whether private or public; and one of the schemes which fell within the legitimate scope of that Commission was the Society in Scotland for Propagating Christian Knowledge. Accordingly, not only were the position and the monetary affairs of this Society very fully investigated, but the Commission reported upon them. It is necessary to attend to what followed on the Report. It was treated by the hon. Member for Edinburgh as if it had been a nullity; but the fact is that it was made the foundation of legislative action in this House, and the plain meaning and the intention of the Act of last year is simply this—that those institutions, whose affairs had been investigated by the Royal Commission, should have from the passing of that Act two years' grace to make up their minds as to whether they should voluntarily bring in schemes for the alteration and adjustment of their own constitutions. I am happy to say that a great number of those institutions which were included in the scope of the Act have already acted upon that provision; but I do think it would be an entire violation of the principle upon which that Act proceeded, and of the object which the Legislature had in view in passing it, if you were now to deal with those institutions whose two years' grace has not expired by investigating their affairs in the interim, with an ulterior purpose, with the object of which we have not yet been made acquainted. It was intimated at the time the Act was passed, and there was a common assent on both sides of the House in the matter, that in the event either of the institutions failing to re-constitute themselves, by or without a Provisional Order, they would at the end of that period of grace be dealt with in a manner which would admit of no refusal—in other words, they would be dealt with summarily and compulsorily, instead of having time and leisure given to them to propose any self-amendment. Now, I think, upon those last grounds, even supposing the Return was a proper one to make, which I do not admit, it would be very inconvenient to interfere at present with any one of these institutions which fall within the scope of the Act. Under these circumstances, I think the Government are justified in declining to grant the Return for which the hon. Gentleman asks.

Mr. C. S. PARKER expressed, as one of the Endowed Schools Commission, a feeling of great regret that there should be any difficulty in obtaining information as to the present position of the Society. The gentlemen representing the Society at the time when the Commission asked information made no difficulty whatever in giving it, and made no suggestion that there was anything of a confidential nature in what they laid before the Commission. Indeed, so frank and full were their answers, that it would be unnecessary now to renew the inquiry, were it not for one or two peculiar circumstances. The whole system of the Society was undergoing a change at the time they gave evidence before the Commission. Hence, they were not able to tell the Commission for certain what their future policy would be. For the Education Act had only recently been introduced, and, under it, they saw it was necessary to give up their existing mode of granting aid, while their new policy had not yet taken shape. The chief difficulty in administering the affairs of the Society in a manner satisfactory to Scotland arose from this. At the time of the Disruption a large proportion of the contributors joined the Free Church; and the legal question having been raised, whether the business of the Society might be conducted through agents belonging to the Free Church, the Law Courts ruled that it might not. In consequence of that decision, a large number of the warmest supporters of the Society had to stand aloof from it; and, inasmuch as many of the schools to which the funds were applicable were under the charge of Free-Churchmen, a continual difficulty arose in administering the funds, for if it happened that the master of a particular school was not a member of the Established Church of Scotland, it was not possible to employ him as an agent of the Society. In some Highland districts, where the Free Church was very strong, and the Established Church almost non-existent, it was hardly possible to conduct the operations of the Society through agents belonging to the Established Church, and this caused a great desire that the matter should be looked into. The Endowed Schools Commission was not composed of Liberals only. The late Sir William Stirling-Maxwell was a Member of it, and he joined in recommending that this legal restriction to the Established Church should be removed. Since that time an Executive Commission had been empowered to give effect to such recommendations. But as this Society had as yet shown no disposition to go before the Commission, it was a very natural desire on the part of the hon. Member for Edinburgh to put pressure upon the Society to do so; and the hon. Member had said nothing in his speech to justify anyone imputing to him that he had any special scheme in view, or wished to interfere, except so far as to express the strong desire there was for more information. Though it was not possible to bring a Motion before the House on this occasion, and though it seemed that, even had it been possible, the Government had thought it necessary to refuse to accede to it, yet he hoped this short discussion would not be without its effects. For if the Society was still disposed to act in the same spirit as it did five years ago, he saw no reason why, after this strong expression of opinion, they should not voluntarily give such information as they had to impart, and if they also came before the Executive Commission with a scheme, they would be acting wisely. The Established Church of Scotland recently made overtures to the non-Established Churches, and expressed an earnest desire to co-operate with them in Christian work. That desire was reciprocated by the non-Established Churches; and it seemed to him that if ever co-operation was to be begun a fairer opportunity could not arise than this if in those parts of Scotland where the people did not belong to the Established Church, the Established Church would consent to co-operate with other Churches in the work of Christian education. He trusted that the Society would take this view of the matter, and would submit proposals in accordance with the recommendation of the Royal Commission.

MR. RAMSAY said, that he could not allow the discussion to close without expressing his regret that the right hon. and learned Gentleman the Lord Advocate should have thought proper, on what he feared would be regarded as purely technical grounds, to refuse to accept the Motion of the hon. Member for Edinburgh. The Motion itself did not contain the slightest allusion to any desire on the part of the hon. Member to interfere with the operations of the Society. He felt satisfied that if the right hon. and learned Gentleman had inquired, the Society would have expressed its willingness to give all the information which the hon. Member for Edinburgh had asked for. He was quite satisfied of that; because that body had not only given evidence before the Endowed Schools and Hospitals Commission, but also gave evidence, in 1865, to the Education Commission, of which he had had the honour of being a Member. The Directors of the Society would deprecate this refusal, because they had come before the latter Commission, and had given evidence of the total inefficiency of the way in which their funds were applied; and, being excellent gentlemen, anxious for the good administration of the affairs of the Society, they would have been glad to have this opportunity afforded them of placing before the public a full statement of the way in which their funds were now administered, as the hon. Member desired. In 1865, before the Education Commission, the Inspector of the Schools of the Society came forward, and said that the education in these schools was of a very low character indeed, and it was an exception to the rule if they had what was called an efficient teacher. The Society was originally intended to promote the cause of education in the Highlands and Islands. The first Letters Patent were so framed that it could only be applied to male teachers. The second Letters Patent were granted for the purpose of affording to females instruction and training in the industrial branches of education, as those were then understood. Had the right hon. and learned Gentleman thought fit to apply to the Directors of the Society, he would have got not only the information which the hon. Member for Edinburgh had asked for, but a full account of all that had been done to carry out some amendment in the various schools which were scattered throughout the Highlands and Islands; and as the funds were originally intended for the behoof of the Highlands and Islands, he (Mr. Ramsay) would deprecate any change which would take away from those districts the advantages of the funds, particularly at a time when the Hebrides and other Islands of Scotland stood so much in need of extraneous aid for educational purposes. He hoped the right hon. and learned Gentleman would soon be able to place on the Table of the House such information as the Directors of the Society could furnish as to the operations of the institution. He believed such Returns would go far to show that there was no cause for the jealousy existing regarding their transactions, which took their rise in the secret way in which, as his hon. Friend the Member for Edinburgh had said, the administration had been heretofore conducted. The Society ought, he thought, to have the chance of doing, even in an informal way, what the hon. Member for Edinburgh suggested—namely, furnish an account of their administration of this important fund.

Mr. FRASER-MACKINTOSH said, the funds of the Society were very much for the benefit of the Highlands and Islands of Scotland, and he had heard with a great deal of disappointment the answer of the right hon. and learned Gentleman the Lord Advocate; for, from information which had reached him (Mr. Fraser-Mackintosh), the people in those districts had looked forward to this Motion being agreed to, and thought there could be no possible objection to it. It was for the interests of the Society itself that due publication should be made, and those concerned should have full knowledge of the affairs, before any scheme was submitted to the Endowed Schools Commissioners.

Sir EDWARD COLEBROOKE said, as Chairman of the Commission to which reference had been made, he hoped the hon. Member for Edinburgh, who showed such high respect for one recommendation of that Commission, would show equal reverence for some others. It might not be right to make demands upon such Associations as this until some option had been given them to take advantage of the Act. He could not, however, recognize the force of the right hon. and learned Gentleman's the Lord Advocate's objections. These institutions were not private institutions. They were public institutions, and open to the criticism of Parliament now, and he hoped also in the future. A particular recommendation of the Commission with regard not merely to the present but to the future was, that they should be regarded as public bodies, and placed under the obligation of laying under a public officer their accounts before the public year by year, so that the public should know how the work was being carried on.

Sir GRAHAM MONTGOMERY thought hon. Members opposite were showing a little unreasonable impatience in this matter. The two years of grace given to these institutions was not a long time to wait. He thought the Government's refusal of these Returns was perfectly justifiable.

Sir GEORGE CAMPBELL said that, after the strong expression of feeling which had come from so many Representatives of Scotch constituencies, the Society would have the right to do away to some extent with the reproach of secrecy by communicating some of the facts connected with its working. It was quite within the power of the Society, if actuated by the motives attributed to it by the hon. Member for the Falkirk Burghs (Mr. Ramsay), to give all the information which the hon. Member for Edinburgh desired.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Class IV.—Education, Science, and Art.

£1,521,168, to complete the sum for Education, England and Wales.

Lord GEORGE HAMILTON observed, that the Committee were aware that every year it was the custom, when moving this Vote, for those who were responsible for the Estimates to make a statement, giving an account of the educational progress of the past year. He thought that every Member of the Committee who had read the Report which had been presented to Parliament for the year ending August, 1878, must admit that it contained a most gratifying account of the progress of elementary education. That Report had been most satisfactory as regarded increased accommodation in the State-aided schools. Statistics on this, as on other subjects, were somewhat dull and wearisome; but it was necessary to cite them, in order to a thorough understanding of the subject. He was sure, therefore, the Committee would excuse him, if he asked its attention for a short time while he stated the actual progress which had been made during the past few years. The practice had hitherto been to compare the progress of the year under review with that of the preceding year. Taking that test on the present occasion, the following were the results as regarded the State-aided schools:—The accommodation for the children had been increased by about 8 per cent, and it now, practically, amounted to very little short of 4,000,000 places. The number of children on the books was 3,496,000, being an increase of 11 per cent, whilst the average attendance was 2,405,197, and that also showed an increase of 11 per cent. There had been a considerable number of new schools, 506 being supplied by voluntary effort and 606 by school boards, and, altogether, the number of schools open was 16,293. As regarded the use made of this accommodation, they had evidence in the number of passes and in the payments by results, and they found that for this year there had been a considerable and gratifying increase in the percentage of passes in the "three R's." The number individually examined was 17 per cent in excess of the preceding year. In fact, whether they looked at the standard, or classes, or special subjects, they found, in each and all, a considerable increase. That was very satisfactory, because as compulsion came into operation, and a larger number of the "wastrels" were forced into the schools, it was to be feared that while the number of children in attendance might increase the examinations might not improve; but they had found the fact to be exactly the reverse. The system which had been adopted for some years past in the Education Office was to take the figures of the educational year ending in August, and on those figures to make such estimates and calculations as might enable them to lay before Parliament the sums which would be required for the ensuing financial year. The figures which he had quoted related to the educational year which ended on the 18th of August, 1878, and the Estimates he was introducing related to the financial year ending April, 1880. One of the most important features they had to consider in estimating their wants was any alteration that might be made in the Code as to the conditions under which grants should be made. Complaints had been frequently made that the Code was not very intelligibly drawn, and it had been the ambition of successive Vice Presidents to put it in a clearer and more compact form; but there were great difficulties in the way of effecting alterations. School managers and teachers had now come to understand the Code pretty well, cumbrous though it was; and he was not sure that it was not expedient, for some time to come, to make as few alterations in it as possible. This year there had, practically, been no alteration made that was worthy of the attention of the Committee, with only two slight exceptions. In the discussion which took place, some time ago, attention was called to the recitation regulation. He confessed that, for one, he did not look with favour upon the idea of children reciting long pieces of poetry, because the children mechanically repeated the words without understanding them. Attempts had been made to adapt the poem to be recited to the children's understanding; and, as a result of that effort, he found that in one town the piece favoured was "Johnny Gilpin's Ride to Edmonton." Amusing as that ballad was, it could hardly be said to be of a such a character as to justify a payment from the Consolidated Fund. In the result, the part of the Code which necessitated the recitation of a poem was struck out. The Chairman of the Cookery Committee at South Kensington had been in communication with the Department, and wished them to introduce something into the Code on the subject of cooking.

Doubtless, there was no branch of practical science in which the humbler classes more required instruction than in cooking; but the Department had not yet been able to meet the views of those who wished a course of practical cooking to be inserted in the Code. There was considerable difficulty in the way. In the first place, schools had not the necessary apparatus; in the second place, they had no proper test of results; and, next, it would be rather hard to impose upon the Inspectors the necessity of tasting every experiment of the children in practical cookery. He had no doubt, however, that in course of time they would be able to overcome this difficulty. Therefore, there had, practically, been no alteration in the Code during the year 1878. They had only now to estimate what the increase of children in attendance would be, and if the efficiency of the children was likely to improve; and they estimated that the increase would be 9 per cent, or 178,000 children, which brought up the average attendance to 2,717,800. They also estimated there would be an increase of 6*d.* per head in the grant earned, which raised the rate to 15*s.* 9*d.* per head. Those two increases, taken together, brought up their Estimate to £2,481,168, being an increase of £334,804 over the original Estimate of last year. Of that amount, £315,000 went directly in new grants to schools, and the remainder, £19,000, went in payments to Training Colleges and the employment of additional Inspectors, which was necessitated by the increased number of children they had to examine. Now, he had already compared the results of the examination of the school-year, ending August, 1878, with those of the preceding year; and, interesting as those comparisons were in one sense, they were, it seemed to him, a little wide of the mark; because what they had to consider was not what progress was made in one year or another, but how far the educational supply met the actual wants of the country. Probably, the first point on which the Committee would like information would be in reference to the accommodation supplied. At the present moment there was school accommodation for 3,950,000 children. The school supply in the last 10 years had increased 95 per cent, and the actual number of children who ought to be at school had only increased 9 per cent. Applying the test to the whole population of England within the area of the school districts, they calculated that 3,400,000 children ought to be in constant attendance in the schools—that was, assuming that compulsion was universal throughout England and Wales—as a matter of fact, only 2,700,000 were in actual attendance. The accommodation, therefore, already provided was 500,000 places in excess of what the average attendance should be, and 1,300,000 in excess of what the average attendance was. He mentioned these figures, because the other day, somewhat unexpectedly, a discussion came on; and when he stated that, except in certain large towns, the supply was sufficient, his contention was somewhat disputed. No doubt, in the large towns, and particularly in London parishes, fresh schools would have to be erected, because the distribution was not equal throughout England and Wales; but, still, as every year the school supply was increasing in a greater ratio than the children who had to go to school, he thought they might arrive at the practical conclusion that the school accommodation was, or very shortly would be, quite sufficient to accommodate all the children who ought to be at school. Assuming, then, that all the children were at school who ought to be, they had next to consider how many teachers were required. They estimated that 33,000 teachers would be required. They had at the present moment 28,235 certificated teachers, 5,700 students, and upwards of 31,000 pupil teachers; so that the supply of teachers was ample for present wants; and considering the number who annually applied to be admitted to the ranks of certificated teachers, he thought they might go a step further, and say they would have sufficient for all their prospective wants. This was not to be wondered at, because the position of no class of persons had been so much improved within the last 10 years as that of the elementary school teachers. In 1870, the average salary of the masters was £95 12*s.* 9*d.*, and in 1878 it was £118 14*s.* 3*d.*; whilst in the same period the average salary of the mistresses had risen from £57 16*s.* 5*d.* to £71 2*s.* 2*d.* Last year, in the discussion of the Education Estimates, many hon. Members represented to him that there were great complaints made, not only on the part of the teachers, but also on the part of the managers, in consequence of the large number of Returns they had to furnish; and they especially indicated a certain Return which had to be made to the local authorities, which entailed much trouble and took up a great amount of time. He thereupon undertook to go into the question of Returns, and to reduce them as far as possible. He found that, valuable as they were, they did entail considerable labour on the teachers; and, therefore, after consultation with those who were well able to advise him on the subject, he came to the conclusion that they might altogether abolish that class of Returns. Therefore, the teachers had been relieved of the Returns of which they most complained. Well, then, as the school accommodation was in the greater part of England sufficient, and as the teaching power was also adequate, the next point they had to consider was whether the machinery for bringing the children to school was sufficient? The population of England and Wales was about 22,700,000, according to the Census of 1871, of which upwards of 13,000,000 were under school boards, and 9,500,000 under school attendance committees. As regarded the figures he had just mentioned, these, no doubt, were the figures of 1871; but in one sense that did not interfere with the effect of his argument, because the population of 1871 was divided, as it was now, into a rural and an urban population; and he was pointing out to the Committee that, assuming those figures existed at the moment, it would be found that of the population of England 16,000,000 were at the present moment under bye-laws, and that during the past year nearly 2,000,000 had placed themselves under the operation of compulsory bye-laws. Perhaps it would interest the Committee to know that the last parish which had unanimously adopted compulsory attendance was the parish of Hughenden. Therefore, at this moment there were under compulsory bye-laws no less than 70 per cent of the total population of England and Wales. The number of children, as he had before stated, who ought to be in attendance was 3,400,000, and the number they estimated who would be in attendance this year was 2,700,000; so that there was a very considerable gap between the number of those who were and the number of those who ought to be regularly at school. That might, undoubtedly, be accounted for by various reasons. Certain of his hon. Friends suggested last year the expediency of passing a short Bill by which compulsory attendance should be enforced throughout the whole of England. No doubt they would gain something in point of uniformity and symmetry if they adopted that course; but, on the other hand, hon. Gentlemen must recollect that the main cause of the success of the Education Acts of 1870 and 1876 was that they had been able to carry local opinion with them, and the local authorities had worked with them, and not against them. At the present moment, no doubt, there was a certain repugnance in certain rural parishes against the adoption of compulsory bye-laws; and if the House were to attempt to enforce compulsory attendance by Statute there would be very considerable difficulty in carrying it out. Therefore, he thought it was preferable to wait, in the certain hope that year by year the number of parishes in which compulsion was not in force would diminish. He thought he might say that as they had accommodation, teaching-power, and local organization, the account he had given was satisfactory. He believed they had made greater progress in developing their system of elementary education during the past few years than had ever been done by any nation before. But, of course, that had entailed a certain additional expenditure; and he now asked the attention of the Committee for a moment or two whilst he placed before them what that expenditure was. In the year 1870, previous to the introduction of the Elementary Education Act, there were 1,225,000 children in average attendance. In the year under review there were 2,560,000; so that the average attendance had more than doubled in eight years. The expenditure connected with the maintenance of schools in 1870 was £1,525,000. In 1878, excluding all expenditure connected with the interest on loans and the expenses of the administration of school boards, the expenditure connected with the maintenance of schools was £4,354,000. Dividing those amounts by the numbers of children in average attendance, they found that in 1870 the average expenditure per child was £1 5*s.*, and in 1878, £1 15*s*. The Government grant, eight years back, was 9*s*. 9*d*. per child in average attendance; last year it was 15*s*. 3*d*.; in the present year it would be 15*s*. 9*d*. In the discussion on the Estimates last year, certain hon. Gentlemen, and, he believed, two right hon. Gentlemen opposite, impressed upon him the necessity of economizing, as far as possible, the grant annually voted to education by Parliament, and of considering the expediency of placing some limitation upon the amount which was annually so voted. Now, there were two causes for the rapid increase of that Parliamentary grant. The first was, that every year there were more children to be educated. They knew the number who ought to be at school; they knew the number who were there. Every year the margin between the two was diminishing; so that he had very little doubt that in a very short time they would, practically, have at school all who ought to be there. Then the growth of the grant would practically end, except so far as the increase of the population was concerned. The other main cause of the increase of the grant was the abolition of the limitation that was imposed in preceding Codes. His noble Friend the President of the Board of Trade (Viscount Sandon) removed that limitation, and at the present moment, provided after 15*s*. per head had been earned by the children in average attendance there was a certain income derived from substitutions for fees, there was, practically, no limitation to the amount they could obtain from the Parliamentary grant. How rapid the growth had been of the sum annually earned by the children was instanced by the figures he had just given, which showed that in the nine years—1870 to 1879—the annual grant per child had risen from 9*s*. 9*d*. to 15*s*. 9*d*. In the Report they had issued this year there was one paragraph which he believed had caused great concern to the managers of the board schools—

> "The time has possibly come when it may be necessary for us, in certain particulars, to revise a part of the annual grant."

The annual grant, as at present payable, might be divided into two heads. Previously to the Revised Code of 1862, the grant was, practically, a capitation grant, and then it was converted by his right hon. Friend the Member for the University of London (Mr. Lowe) into a system of payment by results. Still, a considerable portion of the capitation grant remained; so much was paid on average attendance. Now, that seemed to him to be the part of the grant to which it was necessary to direct their attention, if any reduction was to be made. He thought it would be hard at present, when there was so much distress in the country, and when there would naturally be great difficulty in raising the necessary subscriptions, if they were to permanently, with a stroke of the pen, diminish the income of the voluntary schools. On the other hand, they ought to let school managers know that they must not imagine, as a matter of course, that they were every year to obtain more money from the Parliamentary grant, and that the conditions were in no way to be altered. It seemed to him that, as regarded that part of the grant called the capitation grant, the course they ought to adopt was to apply some test to the children before it was paid. He could illustrate what he meant by referring to the Motion of the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke), which proposed to reduce the grant by £100,000, referring, no doubt, to the sum that was paid for teaching music. He would suppose that all the schools claimed this part of the grant to give instruction in music, and, as a matter of fact, the Returns laid before Parliament showed that this grant for music was, practically, a capitation grant, as nearly 99 per cent of the children attending obtained it; and he thought it was a very fair matter for consideration in subsequent years whether or not they ought to attach some condition to the payment of that particular part of the capitation grant, by which the children should be required to have really some musical instruction and knowledge. That was the direction in which he thought they ought to go. He did not think they ought summarily to reduce without notice the grant which was payable to the managers of the different schools. At the same time, it should be distinctly understood that the Department considered themselves at liberty from year to year to make such alterations as they chose, and as might affect the sum previously obtained by any school. He knew that certain hon. Gentlemen thought they could not spend too much on education; and, therefore, any proposal by which a reduction or limitation of expenditure might be effected would necessarily lower the efficiency of the education given. To those who held that opinion there was a very instructive little paragraph in the table of statistics published annually by the Education Department. It might be found on page 10, and it was, perhaps, the most compact and informational paragraph in the Return. They would there find what the expenditure per child of the different classes of schools was, and what fees were paid by the children attending them. The cost of maintaining a child in a board school throughout England was £2 1*s.* 10*d.* That rate was abnormally raised by the expenditure of the London School Board, which amounted to £2 13*s.* 5*d.* per child, whilst the average expenditure of other school boards was £1 17*s.* 4*d.* But the cost under any of the school boards was considerably in excess of the cost of maintaining children in any of the voluntary schools. The schools connected with the Church of England expended £1 13*s.* 10*d.* per child; the British and other schools unconnected with the Church of England, £1 14*s.* 11*d.*; the Wesleyan schools £1 13*s.*; and the Roman Catholic schools £1 10*s.* Therefore, the first fact brought prominently before them was that the cost of maintenance in board schools, and particularly in the London board schools, was very much in excess of the expenditure in voluntary schools. The second fact, which was also made very apparent, was that there was a great difference in the fees paid by the children in these different classes of schools, taken in relation to the contributions which were made in support of these schools. The sources of income of all schools were—first, the Parliamentary grant; secondly, the school fees; and, thirdly, the voluntary subscriptions or contributions from the rates. Excluding for the moment the Parliamentary grant, they found, taking only the fees and voluntary contributions, the following results:—The fees paid by children in Church of England schools were, as near as possible, equal to the subscriptions and the endowments of those schools. The fees paid by Roman Catholic children were, to a very small fraction, identical with the subscriptions and endowments of those schools. The fees paid by British and Wesleyan scholars were more than double the subscriptions in support of those schools. On the other hand, the fees paid by children at board schools were very considerably less than half the contributions from the rates to their maintenance. Therefore, they found, first, that the cost of maintenance in the board schools, particularly in London, was far in excess of the cost of maintenance in other schools; second, that the fees paid under the more costly system were far less than under the more economical. But when they came to test results they did not find that the more expensive system was better than the less expensive one. The competition was very remarkable. In 1877 it was very close, and the board schools beat the voluntary schools by 1*d.*, earning a Government grant of 14*s.* 5*d.* as compared with 14*s.* 4*d.* earned by the voluntary schools. In 1878, the voluntary schools turned the tables on the board schools, and beat them by 1*d.*, having earned 15*s.* 2*d.*, to 15*s.* 1*d.* There was another fact, which was rather remarkable, with reference to the expenditure in these different schools. As might have been expected, owing to the exceptional distress in all branches of trade, the subscriptions to the voluntary schools had greatly fallen off. There was only one denomination whose subscriptions had not fallen off—namely, the Roman Catholic. Considering the poverty of the population they had to educate, it was greatly to the credit of the Roman Catholics that they were able to return such good results for so moderate an expenditure. He wished now to point out what, in his judgment, were the defects in the present system of education. His noble Friend the present President of the Board of Trade very properly, some years ago, provided a Schedule of special or specific subjects to be added to the voluntary subjects taught in the elementary schools — those were the subjects in Schedule 4. So long as they had a system of voluntary education there could apparently be no objection to adding any number of special subjects to be taught in schools, because, if the results justified the extra expenditure which was incurred, the managers of schools would continue that expenditure. They would say—"We will only teach those subjects when we can afford to do so." They considered the subjects indicated by the Education Department as subjects for instruction when it was possible to give it. Therefore, they had to consider whether or not they could afford it; and, if they could, they made provision for that instruction. But in the case of particular school boards, like the London School Board, these specific or special subjects were regarded from an entirely different position. The school boards, having the rates behind them to meet their expenditure, provided masters competent to teach these subjects at great cost. But it must be apparent to everyone that it was absolutely impossible that the vast mass of children attending their elementary schools—whether voluntary or board schools—could have either the time or the capacity to pass through the special subjects which had been added to the compulsory subjects in the Code. That fact was very clearly illustrated by some figures contained in the Report. If the children were to learn as much as they could under these optional subjects, each child would obtain 8*s*. per head; whereas, in point of fact, the highest earning hitherto had been 11¼*d*. per head. There was also another objection which must be apparent to those who had considered the letters which had been written in reference to the proceedings of the London School Board and other large school boards. Those school boards, of course, obtained the best teachers that they could. Many of the teachers were placed in schools where the fees were very low on account of the poverty of the district, and where they depended for a large proportion of their salary on the various examinations which were held. Consequently, it was to the interest of the masters to bring into the schools children of a higher class, for whom those schools were not intended. The question which they had to consider was, how to remove those defects? He thought that it would be very unwise to prescribe any wholesale remedy. It seemed to him that they ought, if possible, to bring a perfectly sound but, at the same time, a compact elementary education within the reach of every child, that they should, if possible, apportion the cost of that education to the means of the parents, and also that they should give ample opportunities to those children who, either by their industry or their capacity, or by their aspirations, might wish to avail themselves of a more advanced or higher education. It did not, however, appear to him to be reasonable to expect that every child who attended an elementary school should pass through all the subjects which had been added to the Code. At the present moment their system of secondary schools was rapidly improving; and, in his opinion, they ought to endeavour to grade their elementary schools, and to make the character of the elementary education given in them dependent, so far as possible, upon the fees paid. In the majority of school districts in England there were only one or two schools; and the character of the instruction given in those schools, as well as the class of children educated, would be so similar, that it would be difficult to grade these schools. But in the large towns, like London, Manchester, Liverpool, and Birmingham, where they had the advantage of very able school boards, it would be possible for them to move in that direction if they only received encouragement from the Education Department. They would be able to grade their schools to a certain extent, and to give opportunities to the poorer children to pass from the cheaper into the more expensive schools. In the past year a remarkable feat was performed by a boy who had been in an elementary school, and who in the course of a very few years passed through the school, and obtained a Scholarship in one of the older Universities. That fact seemed to him rather to indicate the direction in which they ought to go. Of course, they ought not hastily to attempt to proceed in any wholesale manner; but if those interested in educational matters would carefully consider the suggestion he had thrown out, and would endeavour to secure co-operation in that direction in the various great centres of population in England, he did not believe that the task which he had somewhat briefly indicated would be beyond their power to achieve. He begged to thank the Committee for having listened to him with so much patience; and he would only, in conclusion, say that it seemed to him that if they could work in the direction he had indicated he believed they would secure the most efficacious means of making their elementary schools lead to their Universities, and would provide a thoroughly sound system of national education in all its branches and in all its phases.

Mr. CHAMBERLAIN said, that the noble Lord had instituted a comparison between the results obtained that year and the preceding year. He thought that to obtain a proper comparison he should go a little further back, as it would be interesting to the Committee to know what had been the effect of the legislation. While the accommodation and the number of children upon the register had both increased 123 per cent in 10 years, the average number of children in attendance had only increased 127 per cent. The result of that was, that the average attendance had only just kept pace with the increase of accommodation in the schools. It was a satisfactory thing to find that they had 127 per cent more children in average attendance than they had 10 years ago. But it was not so satisfactory when they remembered that the attendance had increased only in the same proportion as the accommodation. It should be remembered that they had introduced compulsory bye-laws, and it was confidently expected that larger numbers would be driven into the schools, which had proved to be the case. The noble Lord had astonished him by saying that, at the present time, the amount of accommodation for children exceeded by 500,000 what it need be.

Lord GEORGE HAMILTON wished to explain that what he had said did not refer to the populous localities or large towns. Taking the total amount of accommodation throughout England, the result would be as he had stated.

Mr. CHAMBERLAIN said, that, of course, he made allowance for that. He found that, from the Report of the Education Department in 1878, it was calculated the total number of children for whom it was necessary to provide accommodation in elementary schools was 4,899,000; and the Report went on to say that it was not to be expected that all these children would be put to school; and allowing, therefore, for that fact, seven-tenths of that accommodation would be sufficient. He ventured to say that was not the case; for if they turned to the Report of the Committee of 1878, on the first page would be found the statement that, whereas the average attendance during the scholastic year was 2,405,000 per diem, yet that 2,944,000 children were present on the day of examination. It was obvious that they ought to provide accommodation for the maximum number that might be present on any one day, when the number was greatly in excess of the average attendance. He hoped that the noble Lord would not rest satisfied with the present proportion of attendance. He found that at present they had accommodation for 3,492,000 children, whereas they had an average attendance of 2,405,000 children. The result, therefore, showed that if they were speaking in a manufacturing sense they would say that the schools had been working little more than half-time, and he did not see why they should not express in that manner their sentiments with regard to education. He wished that the noble Lord would look a little more kindly at the proposal to draw more children into the schools than could be done under the present system. The noble Lord seemed to throw every obstacle in the way of trying an experiment in the direction of increasing the attendance of children, and had, on the contrary, spoken of still further raising the school fees. Was it not worth while to consider whether the result they desired to bring about could not be achieved by lowering or abolishing the fees altogether? He did not, however, suppose that there would be any chance in that House of establishing universal free schools; but where the local authorities were willing to try the experiment they might do so. He thought that the Department should promote this, and not, as at present, reject all such proposals. Why should the country pursue a course with regard to education which no other country pursued? In all other countries, both Transatlantic and Continental, the tendency was either to lower or to abolish the fees altogether. He thought that the same experiment should be promoted in the education of this country, wherever such a thing was possible; but now, whenever a school board proposed to establish a cheap school, objection was at once raised, because it was supposed that the interests of the denominational schools would be injuriously affected. He was convinced that if the fees were generally reduced it would draw children into the schools, and, at the same time, the average attendance would come up in a much greater degree to the total amount of accommodation. He would now pass on to consider the results which had been already achieved. He always looked at the Return which gave the number of children passing Standards 4 and 6 as very important. The education obtained by children who did not come up to Standard 4 was not of a very high character. He confessed that it was a somewhat humiliating thing to find that during the last 18 months only 218,000 children passed in these Standards, being only 6¼ per cent of the children upon the register, and only 9 per cent of the children in average attendance at the schools. Assuming that the same number would ultimately pass in future years as in the years he had quoted, the fact would remain that less than one-fifth of the total number of the children on the register would receive any education worthy of the name. He was glad to find—and in that he differed from the noble Lord—that the educational results in the board schools were better than the results in the ordinary Church schools. The noble Lord had told them that the board schools were more expensive than the Church schools; but the excess of expenditure on the board schools was only about 10 per cent over the expenditure of the denominational schools. As almost the whole of the board schools were in towns they, of necessity, cost much more than the denominational schools in the country. Taking that into account, the difference of 10 per cent between the cost of the two kinds of schools was very trifling, and was nothing more than might be expected. He thought the result showed very great economy in the administration of board schools. The noble Lord had also told them that the more expensive system of board schools did not give better results than the voluntary system. He tested the system by the results as shown in the earnings of the two classes of schools; but to depend upon the savings only as a test of results was not fair to the board schools; because, assuming that they were new schools, in the first year or two of their establishment they might not obtain a very large attendance. It was only after two or three years that the test of attendance became fair. The noble Lord would find that the total percentage of children who passed in all standards had risen since 1872, 15·09 per cent in the board schools, and were now. The per centage in the Church schools had, on the other hand, decreased in the corresponding eight years, and stood now at 9 per cent. He did not mean to say that the Church schools were less efficient than they were in 1871; but the examinations were more stringent than they were, and it was the fact that they had not shown any marked advance at all, while the board schools were advancing, and had shown better results than the denominational schools. The results of the board schools, according to these calculations, were 10 per cent better than those of the denominational schools; and if they cost only about 10 per cent more than the denominational schools the country might congratulate itself upon getting a fair return for its money. The noble Lord had alleged that the increase in the Government grant was due to the increase being made upon the capitation grant. [Lord GEORGE HAMILTON: The abolition of the capitation grant.] Including the amount for infants, the capitation grant now amounted to about 8*s.* on the total amount per head, the increase in the total sum received being in the grant for examination, which had risen from 4*s.* 10¾*d.* to 6*s.* 10¾*d.* He thought they had some reason to congratulate themselves upon the results already achieved, although he thought that they might be more satisfactory in many respects. He was bound, however, to say that he did not think the Department had any right to take credit for the results that had been effected; for some of their recent actions had been rather in the direction of obstructing where they ought to have promoted, and of promoting where they ought to have rejected. If the present policy of the Education Department were continued, it would become the most *doctrinaire* and the most centralizing of all the Departments of the Government. There seemed to be an attempt—though he would not lay it upon the shoulders of the noble Lord—to stereotype education throughout the country; and he could not conceive anything which would be more fatal to the interests of education. He would only give one or two illustrations of what he had advanced. In the case of the Birmingham School Board they wished to employ female teachers. The Department at first refused to allow them to do so; but, eventually, the noble Lord consented, and since that time female teachers had been employed by the Board. Although the Birmingham School Board was able, from its size and importance, to obtain the reversal of the decision of the Department, yet the small boards throughout the country would no more think of resisting the decree of the Department than of flying, and thus the Department would destroy all that liberty and that freedom in education which would produce the most beneficial results. He was very glad to find that the Birmingham School Board were not only permitted to employ female teachers, but had converted the Education Department to their views. In the Report of the Department, they stated that there were at present a large number of school mistresses employed in elementary schools who were at once the most suitable and most efficient teachers for two-thirds of the children attending those schools. It was also said that the Department most entirely sympathized with the remarks recently made by the Minister of Education in Japan. But he should like to know when the Department was converted to the views of a Minister of Education in Japan, and what made them now entertain his opinion that it was a desirable thing to have as many women teachers as possible in elementary schools? How was it, if they entertained those views, that they objected to the employment of female teachers by the Birmingham School Board, although they now alleged that the proposal had met with their entire approval? The questions in which the Department chiefly interfered were those concerning the building of schools; and the views there put forward were of the most absurd description. While he had the honour to occupy the position of Chairman of the Birmingham School Board, they proposed to build an infant school with a semi-circular bay, as being the most convenient form for the teachers to observe and direct the school. The Education Department said that they could not permit a school to be constructed with a semi-circular bay, and that it must be a square bay. He could not conceive the policy which dictated that sort of interference, and which refused to permit experiments which might be continued to very useful results. Recently the Department had also interfered in a more serious manner. They had interfered in what they styled "the interests of economy." He wished to put it to the noble Lord that he had no business to interfere between the ratepayers and their authorized representatives. The whole principle of the Education Act of 1870 was, in his opinion, that education was to be carried out, within certain limits, by boards representing the majority of the ratepayers in each district. If the boards incurred an excessive expenditure, the ratepayers had their remedy, for they could turn the board out, and supply its place by men of more economical views. But if, on the other hand, the expenditure met with the approval and consent of the ratepayers, why should the noble Lord come down and reverse the decision of the majority of the ratepayers? In Birmingham a strong contest had taken place with respect to the action of the School Board; and the ratepayers, by an overwhelming majority, had expressed their approval of the action of the Board. With the full consent of their ratepayers, they had built schools which would be a credit to any school board in the Kingdom. They had not wasted the money of the ratepayers; but they had thought it right that the schools should be ornamental, and they had also thought it right to provide a fitting home for the work which they were to carry on. Their work had been submitted to the public, and in the election the ratepayers of Birmingham, by an enormous majority, had given their entire approval to the action of the board. To take another instance, he would draw attention to the architect's department. Of the gentleman who occupied the position of architect to the Education Department he wished to say nothing ill; but he did not think that he was likely to be a person whose practice or experience was likely to be greater than that of the local architects employed by the different boards throughout the country, who were generally gentlemen at the head of their Profession. It was too much to expect gentlemen of that kind to submit their plans to the official who undertook to be the architect of the whole Kingdom. A plan of the architect to the

Birmingham School Board was submitted to the architect of the Department, who said that he would not approve of it, because the design was too expensive. He was asked what alteration he would suggest, and thereupon he took a ruler from his desk, and ruled off every projection from the school building until he had left it a brick block. Then he said—"That is the plan for an elementary school." In his opinion, such conduct as that was insulting to the architect, and insulting to the school board of Birmingham, and it was also insulting to the ratepayers, who had approved of the action and conduct of the board. He had one other representation to make against the Department over which the noble Lord so ably presided—namely, that the Department had interfered in numbers of cases where it ought not to have done so, and had not interfered in many cases where it was their duty to do so. The other day a Question was asked of the noble Lord with reference to the Horley school board, which was presided over by the vicar of the parish. The board refused to appoint the only candidate for a female teachership, on the ground that she was a Baptist. The noble Lord, from his answer, wished the House to infer that there was no general bann against the employment of a Nonconformist by the Horley school board; he also said that he had so many complaints with regard to that particular matter that he did not think it right to interfere. He (Mr. Chamberlain) would have thought that if he had had so many complaints he ought to have interfered. He would challenge the noble Lord to produce one case in which a school board, where there was a Nonconformist majority, had refused to appoint teachers who were not Nonconformists. Of course, such instances might exist in the annals of the Education Department; but no such case had ever come to his knowledge. In the case of the Horley school board it was admitted, by all the members of the board, that the female candidate was well qualified for the position; but the vicar of the parish objected to a Nonconformist being appointed. It was observed that if it had not been intended to appoint a Nonconformist that should have been mentioned in the advertisement, and he fully agreed with that. As it was, the unfortunate girl was sent back to her parents on account of her religion; and the same board also rejected a youth who was a candidate for a pupil scholarship on precisely similar grounds. If it had been intended to make religious belief a disqualification for the appointments, then that should have been indicated. He thought that wherever instances of the rejection of candidates on the ground of religious belief occurred the noble Lord would be justified, by common sense and by the good feeling of the country, in interfering to stop them. He sincerely hoped that the noble Lord would take the remarks which he had made in good part, and that he would allow school boards as much liberty of action as possible, as he believed that in that way the real interests of education would be best served.

Mr. W. E. FORSTER said, that at that hour it was utterly impossible to discuss in an adequate manner the very important questions raised by the speech of the noble Lord. He hoped, therefore, that the Committee would not be taken to have assented to all the proposals of the noble Lord; but, at the same time, he did not wish it to be understood that he expressed his disapproval of them. He agreed with the noble Lord that economy ought to be considered as well as the improvement of education; but he would remind the noble Lord that, in 1876, the Government gave up what he believed to be the greatest safeguard to economy, as they would find day by day and month by month—namely, that each locality should find as much money as the Department. He was aware that that had been given up, because it had caused a good deal of difficulty to the noble Lord. With regard to the question of fees, he agreed that there would be a great advantage in grading schools in large towns; but it would be utterly impossible if the noble Lord carried out the intention he had foreshadowed in the debate upon the London School Board. He believed that by grading the schools what they wished to see would be accomplished; and the whole of the middle and working classes would be willing to send their children to the board schools, and pay for the better education of their children. They desired to provide a better education for the children as far as possible;

but he agreed that it should be paid for by the parents. He had no further remark to make, except to express his concurrence with the views of the hon. Member for Birmingham, that the Education Department was not working as well as could be wished. He thought that it was in danger of becoming too much *doctrinaire.* It seemed to him that there were two points to which special attention was required in the conduct of the Department. He did not wish, in any way, to blame either the permanent Chiefs or the noble Lord; but he was only pointing out the difficulties they had to contend with. In the first place, he doubted whether inspections were as carefully conducted, or the Inspectors so carefully chosen, as they might be. The noble Lord should remember that inspection was becoming more difficult by the progress of education. They required the schools to be better inspected, both in knowledge and in educational teaching, than they were before. He thought also that, speaking generally, the Department was interfering with school boards and with the managers of schools more than it might. He hoped that the Department would not throw difficulties in the way of the labours of the school boards by seeming to think that it was necessary for them to decide whether any new school was necessary or whether it was not.

Vote *agreed to.*

Resolution to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £266,766, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for Public Education in Scotland."

MR. RAMSAY objected to so important a Vote being taken immediately before 6 o'clock, and moved that Progress be reported.

House *resumed.*

Resolution to be reported *To-morrow;*

Committee also report Progress; to sit again *To-morrow.*

SUPPLY—REPORT.

Resolutions [29th July] *reported.*

MR. J. HOLMS had understood that the Government had promised not to take the Vote for the Consular Service until they had laid certain Papers with reference to it before the House. He found, however, that the Vote had been passed.

SIR HENRY SELWIN-IBBETSON did not think that there was any such understanding on the part of the Government; but he believed that the Papers in question would soon be in the hands of hon. Members. He hoped, therefore, that no objection would now be made. He would take that opportunity of correcting an error into which he fell in giving an answer to a question with reference to the salary of one of the Directors of the Suez Canal. He fell into the mistake of saying that during his absence from England, and while acting as Minister to the Khedive, Mr. Rivers Wilson also received his salary as a Director of the Suez Canal. He wished now to state that he found, on inquiry, that that gentleman did not receive his salary as a Director of the Suez Canal during his absence from England.

Resolutions *agreed to.*

TIPPERARY BOROUGHS BILL.

On Motion of Mr. ARTHUR MOORE, Bill to constitute the Borough of Cashel, the Town of Tipperary, the Town of Nenagh, and the Town of Thurles into a Parliamentary Borough under the name of the Tipperary Boroughs, *ordered* to be brought in by Mr. ARTHUR MOORE, Mr. GRAY, Mr. MELDON, and Mr. O'SHAUGHNESSY.

Bill *presented,* and read the first time. [Bill 271.]

ENDOWED SCHOOLS ACTS CONTINUANCE BILL.

On Motion of Lord GEORGE HAMILTON, Bill to continue for a further period the powers of making Schemes under the Endowed Schools Acts, 1869, 1874, and 1876, *ordered* to be brought in by Lord GEORGE HAMILTON and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented,* and read the first time. [Bill 272.]

REGULATION OF RAILWAYS ACTS CONTINUANCE BILL.

On Motion of Viscount SANDON, Bill to continue for a further period the Regulation of Railways Acts 1873 and 1874, *ordered* to be brought in by Viscount SANDON and Mr. J. G. TALBOT.

Bill *presented,* and read the first time. [Bill 270]

House adjourned at Six o'clock,

HOUSE OF LORDS,

Thursday, 31*st July*, 1879.

MINUTES.]—Public Bills—*First Reading*—Commissioners of Woods (Thames Piers) * (168); Municipal Elections (Ireland) * (169); Border Summons * (170).

Second Reading—Petroleum Act (1871) Amendment * (161).

Committee—Industrial Schools (Powers of School Boards) (153); Companies Acts Amendment (71), Order *discharged*.

Committee — *Report* — New Forest Act (1877) Amendment * (149).

Report—Summary Jurisdiction (162).

Third Reading—Bills of Sale (Ireland) * (155), and *passed*.

Withdrawn—Workmen's Compensation (7).

THE LUNACY LAWS—LEGISLATION.

QUESTION.

Lord ABERDARE asked the Lord Chancellor, Whether it was his intention to introduce a Bill amending the Lunacy Laws?

The LORD CHANCELLOR, in reply, said, that Her Majesty's Government were anxious to introduce a Bill to consolidate the Lunacy Laws, and in doing so to make certain Amendments not of any great importance, but which experience had shown to be desirable in the existing Statute Law; but he need not say that at this period of the Session, and in the present state of Public Business, it was impossible for the Government to introduce a measure having that object during the present Session.

WORKMEN'S COMPENSATION BILL.

(No. 7.)

(*The Earl De La Warr.*)

SECOND READING. ADJOURNED DEBATE.

Adjourned Debate on Motion for Second Reading resumed (according to Order).

Earl DE LA WARR said, that the debate had been adjourned several times, in order that the measure of the Government on the same subject which had been introduced in the Commons might have come up and have been considered by their Lordships with this Bill. But this, he regretted, had not been the case. The subject with which the Bill dealt was one of great importance, affecting, as it did, the interests of a large number of the industrial classes of this country. In the existing state of the law, Companies and other employers of labour got rid of all liability to workmen injured in their employment by appointing a manager to act for them, and the object of this Bill was to make Companies and all employers of labour in mines and railways or other occupations, liable in the same way that masters were already liable by law for accident or injury sustained in their services through negligence or want of due precaution on their part. There was a strong feeling out-of-doors in favour of the measure, and numerous Petitions had been presented in favour of its becoming law. For these reasons, he thought their Lordships might well give a second reading to the Bill in order that it might be considered in Committee.

The LORD CHANCELLOR wished to take that opportunity of expressing his thanks to his noble Friend for the course he had taken on previous occasions in postponing this Bill in order that their Lordships might have the advantage—if it could have been so arranged—of having before them the Bill on the same subject proposed by Her Majesty's Government in the other House of Parliament; but that had not been possible, and he hoped that the noble Earl would, on the present occasion, adopt the same course he had previously taken. The subject was, unquestionably, one which occupied a good deal of attention on the part of the working classes of the country; it also occupied the attention of the great employers of labour, and those who had embarked a large amount of capital in industrial undertakings; and, obviously, every word which might be used in a measure dealing with a question of this kind would have to be scanned and considered with the greatest care. The matter had been taken up by Her Majesty's Government, who had referred the whole subject to the inquiry of a Select Committee, who took a great deal of evidence, and they had also introduced a Bill on the subject in the other House. A measure dealing with the question, and identical with that of the noble Earl—Employers Liability for Injuries to Servants Bill—had also been brought forward in "another place" by private Members. He did not see how it would be possible for their Lordships to enter upon a discussion of the matter until they had these Bills before them; and the opinion of Parliament upon them, and upon the subject generally, could not be fairly obtained at this period of the Session. He might take the present opportunity, however, of stating that the Bill of the Government was founded upon the recommendations of the Select Committee who inquired into the question; while the measure of the noble Earl was framed in accordance with the recommendations of that Committee; but he believed that the Bill of his noble Friend was framed on a Report composed by a Member of the Committee, but which was not adopted. In these circumstances, it was not going too far to say that their Lordships would not be in a position to decide until they had the Bill of the Government before them; and there was no hope of this in the present Session. He thought he could show his noble Friend that, in its present form, this Bill was not workable. He should be sorry to ask their Lordships to reject the Bill of his noble Friend—his case was that they had not time to consider it; and if his noble Friend did not move the discharge of the Order, he would ask their Lordships to allow him to move the Previous Question.

Lord NORTON said, that the difference between the Bill of the Government and the Bill of the noble Earl was one of degree, and not of principle. They were much agreed on principle. An employer's common-law liability for injury done by his servant might be too wide; but the Judgment of 1837, removing all liability to a servant for injury by undefined fellow-servants, relieved the employer from liability too much. The Scotch Courts were more favourable to servants; and in England the workmen had an undeniable and palpable grievance in being deprived of all remedy, even when the master had been distinctly to blame for his injury, and when he was injured while following the express orders of his master. The release of a master from such responsibility was greater than justice required or could excuse. Employers were legally responsible for the due care of those exercising their full authority, and that their machinery was in order. With these two conditions fulfilled, no compensation for injury was due from them to an injured servant; nor in any case, so far as the servant's own negligence contributed to his injury. But for injuries caused by the non-fulfilment of these conditions they ought to be liable to their servants as to anyone else. The Government Bill defined employers so as to include Companies, and made servants exercising the employer's full authority implicate him in the ordinary liability of *qui fait per alium fait per se.* It was a great pity this Bill had not even been discussed, as it might have been if introduced in that House. The existing interpretation of the law was admittedly unsatisfactory; but what was the exact remedy for the grievance he was not prepared to say. Their Lordships might have to fall back in questions of injury in service to the test of express warranties; but the present law exposed employers to needless odium, and servants in some cases to most unjustifiable deprivation of their due.

Earl DE LA WARR, yielding to the request made by his noble and learned Friend on the Woolsack, said, he would move the discharge of the Order, in the hope that the Government would take the earliest possible opportunity of bringing the Bill forward next Session.

Motion and Bill (by leave of the House) *withdrawn.*

SUMMARY JURISDICTION BILL.

(*The Lord Chancellor.*)

(No. 162.)

REPORT OF AMENDMENTS.

Amendments *reported* (according to Order).

The LORD CHANCELLOR expressed regret that he should have been unable to insert any clause into the measure dealing with its operation on the Borders of England and Scotland. The reason he felt he could not introduce such a clause was this—that he feared that, by doing so at this late period of the Session, he should incur the risk of its not being returned from the Commons in sufficient time to enable it to pass this year. He, however, proposed to introduce a separate measure for Scotland.

The Duke of BUCCLEUCH said, he was aware of the great inconvenience arising from the fact of warrants and citations on the Borders being ineffective if the offender got across the line; and, therefore, he was sorry to hear the noble and learned Earl's statement. He thought a clause to meet the case might have been inserted in the Bill without difficulty. That had not been done, however; but as it was imperatively necessary that some steps should be taken, he wished to know when the Bill mentioned by the noble and learned Earl would be brought in?

THE LORD CHANCELLOR said, the Bill would be laid on the Table at once, and he would ask leave to move the second reading to-morrow.

Further Amendments made; and Bill to be read 3ª *To-morrow.*

And, afterwards—

BORDER SUMMONS BILL [H.L.]

A Bill to provide for the service of summons in the Border Counties—Was *presented* by The Lord CHANCELLOR; read 1ª. (No. 170.)

INDUSTRIAL SCHOOLS (POWERS OF SCHOOL BOARDS) BILL—(No. 135.)

(*The Lord Steward.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD NORTON said, that at first he entertained great doubts about the Bill, which he defied anyone to understand by merely reading it; but it appeared to be its object to give school boards powers to contribute to, or erect industrial schools, and to borrow money for that purpose. They ought to be very cautious of giving school boards increased powers of spending money. At the present time they were recklessly spending, and there was no other body in the country which possessed such unchecked powers; they were endeavouring to introduce into the elementary schools the same kind of education that was given in secondary schools, and to crush out the voluntary elementary schools. They required watching; but he was informed that the actual effect of this Bill would really be to economize their work in the most essential part of it—provision for the most neglected children. He should have liked to revert to the approval of the Education Department in preference to that of the Secretary of State, as industrial schools ought not to be part of Home Office or prison administration; and on the third reading he would move an Amendment directed to that point.

EARL BEAUCHAMP pointed out that the purpose of the Bill was to enable school boards to do directly and effectually what they were already indirectly authorized to do by the Industrial Schools Act and Elementary Education Acts, and to give power to Guardians to contribute towards the maintenance of a child in a certified industrial school in the same manner as if they were a school board.

EARL FORTESCUE remarked, that there had been too easy an acquiescence in the expenditure by the school boards.

House in Committee.

Clauses 1 and 2 *agreed to.*

Clause 3 (Power of School Board to borrow for contribution towards or undertaking cost of, enlarging, &c., industrial schools).

EARL FORTESCUE moved an Amendment, the effect of which was to limit the making of loans extended over a great many years to sums raised for permanent works, and to prevent its applying to sums to be expended on furniture.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 4 (Power of Guardians to contribute to maintenance of child in industrial school) *agreed to.*

Further Amendments made: the Report thereof to be received *To-morrow.*

COMPANIES' ACTS AMENDMENT BILL.

(*The Lord Aberdare.*)

(NO. 71.) COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD ABERDARE moved that the Order be discharged. He said he did this because the Bill would require Amendments, which could not be made at this period of the Session.

Motion *agreed to;* Order *discharged.*

RAILWAY RETURNS (CONTINUOUS BRAKES) ACT, 1878.

QUESTIONS. OBSERVATIONS.

EARL DE LA WARR asked, Whether it was the intention of Her Majesty's Government to lay on the Table a further Return by the Railway Companies of the United Kingdom, in pursuance of the Railway Returns (Continuous Brakes) Act, 1878? Up to the time of the last

Return most of the Companies had expressed themselves willing to take into their consideration this important question; but a very large proportion had taken few steps in the matter. He believed the Brighton Company had adopted a brake, and the Great Northern Company had made many experiments, but had come to no conclusion. Between 1870 and 1876, out of 1,234 accidents investigated by the officers of the Board of Trade, 952, or nearly four-fifths of the whole, might have been prevented, or their effects materially lessened, had there been continuous brakes. He also wished to ask, Whether there was any objection to lay on the Table any Correspondence which had taken place between the Railway Companies and the Board of Trade on the subject of brake power, and whether the London and North-Western Railway Company still refused to comply with the requirements of the Board of Trade?

LORD HENNIKER, in reply, said, a Return as to continuous brakes under the Act of last year—the Railway Returns (Continuous Brakes) Act—for the half-year ended June 30 was being tabulated and printed, and would be presented with the least possible delay—probably on Tuesday next. In reply to the further Question—of which his noble Friend the noble Earl had given him private Notice—namely,

> "To ask if there is any objection to laying upon the Table of the House the Correspondence between the Board of Trade and Railway Companies relative to the use of brakes, and to ask whether the London and North-Western Railway Company still refuse to adopt the requirements of the Board of Trade?"

he had only to say that all the Correspondence between the Board of Trade and the Railway Companies on the use of continuous brakes was already before Parliament; and that from the Return received from the London and North-Western Railway Company for the first half of the year it appeared that they were still using a brake known as Clark and Webb's chain brake, which from the Returns did not appear to be continuous throughout the train or automatic in its action.

TREATY OF BERLIN—EASTERN ROUMELIA—THE EVACUATION.

QUESTION.

EARL STANHOPE asked, Whether his noble Friend the Secretary of State for Foreign Affairs had any information which would enable him to say that the evacuation of Eastern Roumelia by the Russians would be effected by the 3rd of August—the day stipulated in the Treaty?

THE MARQUESS OF SALISBURY, in reply, said, that two or three days ago he received information from our Vice Consul at Burgas that the last Russian soldier had left the Province, and that the Province was entirely evacuated by the Russians.

House adjourned at a quarter past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 31st July, 1879.

MINUTES.]—SUPPLY—*considered in Committee*—NAVY ESTIMATES—Committee R.P.

WAYS AND MEANS—*considered in Committee*—£3,000,000, Exchequer Bonds, Exchequer Bills, or Treasury Bills.

PUBLIC BILLS—*Resolution in Committee*—East India Loan (Consolidated Fund) [Annuities]*.

First Reading—Bills of Sale (Ireland) * [273].

Committee—Report—Land Tax Commissioners' Names * [109].

Third Reading—East India Loan (Consolidated Fund) * [201], and *passed.*

QUESTIONS.

PARLIAMENTARY REPRESENTATION —REPRESENTATION OF SCOTLAND.

QUESTION.

MR. M'LAREN asked Mr. Chancellor of the Exchequer, Whether his attention has been called to the Return, No. 223, of this Session, from which it appears that, as regards the present population of Scotland, it ought to have ten additional Members, as compared with the present population of England and Ireland respectively; and that, if the revenue derived from taxation were made the basis of representation, Scotland ought to have eighteen additional Members as compared with the revenue derived from taxation in England and Ireland respectively; and, whether, in distributing the vacant seats, he will take into consideration the just claims of Scotland to obtain additional Members?

THE CHANCELLOR OF THE EXCHEQUER: Sir, my attention has been continually drawn to the circumstances of Scotland by the Returns which were moved for by the hon. Gentleman. Undoubtedly, I have seen the Return to which he refers. I can only say, in regard to the second part of the Question, that whenever the time comes for distributing the vacant seats the just claims of Scotland, as of all other parts of the Kingdom, will be duly considered. I hardly think, however, that the changes proposed will be of the revolutionary character glanced at by the hon. Gentleman.

MINISTER OF COMMERCE AND AGRICULTURE.—QUESTION.

MR. W. HOLMS asked Mr. Chancellor of the Exchequer, What steps the Government intend to take in order to give effect to the Resolution of the House upon the Motion of the honourable Member for Plymouth—

> "That it is desirable that those functions of the Executive Government which especially relate to Commerce and Agriculture should be administered by a distinct Department, under the direction of a Principal Secretary of State, who shall be a Member of the Cabinet?"

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am afraid the only answer I can give is that the matter will receive the consideration of Her Majesty's Government.

EDUCATIONAL ENDOWMENTS (METROPOLIS).—QUESTIONS.

MR. E. JENKINS asked the Vice President of the Council, If he has any objection to lay upon the Table a Copy of the last Report of the London School Board upon Educational Endowments?

MR. A. MILLS said, before the noble Lord answered that Question he should like to know, Whether his attention has been called to the fact that the Report to which the Question of the hon. Member for Dundee refers is a folio volume of 486 pages?

MR. E. JENKINS rose to Order. He had asked a Question of the noble Lord, and he wished to know if it was regular or proper for any other hon. Member to interpose between the Question and the noble Lord's answer? It was quite open to the hon. Member to put his Question after the noble Lord replied.

MR. SPEAKER: As the Question of the hon. Member relates to the same matter it seems to me that he is in Order.

LORD GEORGE HAMILTON, in reply, said, when the hon. Member put his Question before he had no information on this subject; but he was now informed by a member of the Board that no regular Committee had been appointed by them on the subject of Educational Endowments of London. Since then, however, a large volume had been sent to the Education Office, from which it appeared that it had been the habit of a Committee appointed to inquire into various schemes of Educational Endowment to make various reports. These had been collected, and the result was a Blue Book of 480 pages. He did not think any object would be served by making it a Parliamentary Return, since any ratepayer could obtain it on application.

THE SCIENCE OF AGRICULTURE—MR. BUCKMASTER.—QUESTION.

MR. E. HUBBARD asked the Vice President of the Council, Whether his attention has been drawn to the interest with which the members of several Chambers of Agriculture have listened to the lectures of Mr. J. C. Buckmaster on the scheme of the Science and Art Department "for promoting instruction in the science of agriculture;" and, whether Mr. Buckmaster's services can be equally spared for the benefit of Farmers' Clubs and Associations in country parishes, not being Chambers of Agriculture, but desirous of information on the subject?

LORD GEORGE HAMILTON, in reply, said, he could quite understand that a lecture by Mr. Buckmaster on this subject would be of great interest, and if his hon. Friend wished Mr. Buckmaster's services to be more extensively availed of, he would undertake that any application to that effect should be considered by the Office.

NAVY—PUNISHMENT OF A SEAMAN AT SHEERNESS.—QUESTION.

MR. MACDONALD asked the First Lord of the Admiralty, If he has had the facts of the late court martial on board the Admiral's ship at Sheerness before him; whether he will state what was really done by the seaman; and, if he sees no reason, when it has been considered, to remit in some degree the apparent severity of the sentence?

MR. W. H. SMITH: Sir, I have had all the facts of the late court martial at Sheerness before me; and it will be in the recollection of the House that I stated on a previous occasion that the offences committed were deliberate and repeated disobedience of the lawful and reasonable commands of a superior officer, followed up by a violent attack upon him. The offences were of a very grave character indeed, fully meriting severe punishment. It would be premature now to consider whether any portion of the punishment should be remitted, almost before, indeed, any part of it had been inflicted; but reports as to the prisoner will be made from time to time, and they will receive careful consideration.

MR. MACDONALD gave Notice that, on a future day, he would ask for the name of the seaman, whether he was an ordinary seaman or an A.B., whether such a sentence as that passed on this man had been passed on any seaman since the right hon. Gentleman had been in Office, and whether it had not come to his knowledge that recent discussions in the House had influenced the severe penalty which was then inflicted?

INDIA—BANDA AND KIRWEE PRIZE MONEY.—QUESTION.

MR. M. BROOKS asked the Under Secretary of State for India, Whether any, and, if so, what, legal proceedings have been taken in order to obtain a satisfactory account of the residue of the movable property of the ex-Chiefs of Kirwee, in accordance with the Parliamentary Orders of 1873 and 1874; and, whether it is true that, after so many years' delay in furnishing these accounts, the Secretary of State for India in Council has applied to the Court of Chancery for a further postponement of the inquiry?

MR. E. STANHOPE: Sir, on the 15th May last the Rev. Alfred Kinloch commenced an action against the Secretary of State for India in Council relating to the Banda and Kirwee prize money, which action was set down for hearing before the Vice Chancellor Sir Charles Hall. The application to postpone the hearing of the cause until November was made with the consent of the plaintiff, as there was hardly any chance of the case being reached before the Vacation.

METROPOLIS—PAROCHIAL CHARITIES OF THE CITY OF LONDON—REPORT OF THE COMMISSIONERS.

QUESTION.

MR. W. H. JAMES asked the Secretary of State for the Home Department, When the Report of the Commissioners on the Parochial Charities of the City of London will be presented?

MR. ASSHETON CROSS, in reply, said, that great progress had been made with the Report; but, owing to unforeseen circumstances, and the engagement of many Members, it had been delayed, and it could not be presented to the House this Session.

MR. ARTHUR PEEL, as a Member of the Commission, said that, in his judgment, it would be impossible to hold out any hope that the Report would be presented before November.

ARMY — ARMY COMMISSIONS — THE ROYAL MILITARY COLLEGE, KINGSTON, CANADA.—QUESTION.

COLONEL ARBUTHNOT asked the Secretary of State for the Colonies, Whether the report in the "Times" of the 21st instant is accurate, which represents him as having said that—

> "Her Majesty has very recently agreed to a proposal which will enable successful students at the Military College in Canada to enter into competition annually for appointments in the English Army;"

and, if so, whether, in consideration of the novelty of this proposal, he will lay upon the Table of the House the Rules and Regulations under which such students would be entitled to compete; and, whether equal facilities will be granted to Her Majesty's subjects in Her Majesty's other Colonial Possessions where similar military educational establishments may be formed in future to obtain Commissions in the Imperial Army?

SIR MICHAEL HICKS-BEACH: Sir, the statement which I made the other day was merely a general reference to an arrangement which has been recently made, the precise terms of which are that four commissions annually—one in the Engineers, one in the Artillery, one in the Cavalry, and one in the

Line—shall be given to successful candidates, being duly qualified, from the Royal Military College at Kingston. The rules for the competition will, I presume, be laid down by the War Office after communication with the authorities of the College; and I cannot say whether they could or could not be presented to the House. I do not think any reply could be given to the Question whether equal facilities will be granted to other Colonies, until it is ascertained whether a College exists in any other of our Colônies equal in position to the College at Kingston.

ARMY — THE AUXILIARY FORCES— YEOMANRY AND VOLUNTEER ADJUTANTS.—QUESTION.

Mr. DALRYMPLE asked the Financial Secretary of the War Department, Whether, as compared with the pay received with their Regiments, Adjutants of Volunteers are not about £50 a-year richer, and Adjutants of Yeomanry about £200 a-year poorer by their appointments; whether, in Administrative Battalions, the Volunteer Adjutant has no financial duties as Yeomanry Adjutants have; whether a Volunteer Adjutant receives five shillings (in addition to his already higher pay) for every recruit enlisted through his agency, while a Yeomanry Adjutant receives nothing; whether the increase of pay given to Yeomanry Adjutants in 1876 was not counterbalanced by their being forbidden to receive anything from the Contingent Fund; what the reason for these differences is; and, whether it is not possible to place Yeomanry Adjutants on the same footing as Volunteers by giving them the pay, &c. of their rank as Captains of Cavalry?

Colonel LOYD LINDSAY: Sir, the £50 alluded to by my hon. Friend undoubtedly refers to an allowance for a servant, which is given to adjutants of Volunteers, and also to an allowance for forage for one horse. My hon. Friend also asks whether, in administrative battalions, the Volunteer adjutant has no financial duties? Yes, Sir, he has very distinct financial duties to perform. As to the next part of the Question—if he is allowed by the officer commanding the brigade depôt to recruit?—he is entitled to 5*s*. head money; and if it were thought desirable that an adjutant of Yeomanry should be similarly employed he would receive a similar allowance. In 1876, upon the recommendation of a Committee, the pay of Yeomanry adjutants was increased; but, advisedly, they were not allowed to draw any part of the Contingent Fund belong to their regiments. Then, perhaps, my hon. Friend would like an analysis of the pay of adjutants of Yeomanry and Volunteers. The pay of an adjutant of Yeomanry is 10*s*. a-day, making £182 a-year; for forage and stabling he is allowed 2*s*. 4*d*. a-day, making £42 a-year, or a total of £224 a-year. The pay of Cavalry captains is 14*s*. a-day, or £266 a-year, with a forage allowance for three horses of £47 odd, making a total of £313 a-year. The pay of an adjutant of Volunteers is £211 a-year, with £42 for forage and stabling —total, £253 a-year. There is no doubt the pay of Yeomanry adjutants is less than that of Volunteer and Militia adjutants; but that was advisedly arranged in consequence of the duties which those officers have to perform being lighter than duties of adjutants of Volunteers and Militia; the pay was also regarded as sufficient to induce as many Cavalry captains as necessary to take the appointments for five years.

ARTIZANS' AND LABOURERS' DWELLINGS ACT.—QUESTION.

Mr. FAWCETT asked the Chairman of the Metropolitan Board of Works, Whether he can undertake that none of the sites which had been cleared under "The Artizans' and Labourers' Dwellings Act, 1875," and which have not already been disposed of, shall be sold until Parliament has had an opportunity of considering the Bill which the Home Secretary intends to introduce to amend the Act?

Sir JAMES M'GAREL-HOGG: Sir, I must point out to the hon. Member that no sites have yet been cleared under the Artizans' and Labourers' Dwellings Act, except a portion of the Whitechapel and Limehouse area, which has already been sold with five others to the trustees of the Peabody Fund. Some time must necessarily elapse before the removal of buildings from any of the sites not yet disposed of; and, assuming that the Bill of the Home Secretary is brought in this Session, I can readily undertake that no further sale of sites shall take place before the House has had an opportunity of considering the measure.

AGRICULTURAL DISTRESS — THE ROYAL COMMISSION.—QUESTION.

MR. W. E. FORSTER: I wish to put a Question to the Chancellor of the Exchequer, of which I have given him private Notice, on a matter of much general interest—namely, Whether he is as yet prepared to give the House the names of the Gentlemen whom the Government propose to put on the Commission on the State of Agriculture; and if he cannot do it to-day, whether he can give any idea as to when he will be able to do it, for I suppose the Government would not wish that the information should be withheld until the closing days of the Session?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am quite aware of the interest that is taken in this subject, and I can assure the House and the right hon. Gentleman that the Government are most anxious to complete the Commission; but, though they have been in active correspondence with various Gentlemen, they have not yet been able to bring the arrangements to a final conclusion. As soon as we are in a position to do so, which I hope will be shortly, we shall be ready to mention the names to the House.

NAVY—FLOGGING IN THE NAVY.

QUESTIONS.

MR. ANDERSON asked the First Lord of the Admiralty, If it be the fact that the Admiralty rules only prohibited combinations—"for the purpose of bringing about alterations in the existing rules and regulations of the Navy" and "by appointing Committees, or in any other manner obtaining signatures to memorials, petitions, or applications;" if it be not the fact that the meeting of petty officers at Portsmouth was held for none of these purposes, but solely to protect themselves against public misrepresentations of their opinions by certain Naval Officers, and, therefore, strictly in exercise of citizen rights not abrogated by employment in Her Majesty's service; and, whether, in these circumstances, Admiral Fanshawe's Memorandum was not an indiscreet straining of authority?

MR. W. H. SMITH: Sir, I will not enter into an argument with the hon. Member as to whether a meeting composed of petty officers and seamen called to discuss punishments in the Navy does or does not come within the Article in the Queen's Regulations to which he refers; but I repeat that it was the duty of the Admiral Commanding-in-Chief at Porstmouth to warn men against being led into the commission of acts which, in his judgment, are subversive of discipline and are breaches of the Queen's Regulations. I do not, therefore, consider the publication of the Memorandum referred to was an indiscreet straining of authority.

MR. ANDERSON: Will the right hon. Gentleman produce the Memorandum, and lay it on the Table?

MR. W. H. SMITH: Perhaps the hon. Member will give Notice of that Question.

POST OFFICE TELEGRAPH CLERKS (DUBLIN).—QUESTION.

MR. M. BROOKS (for Mr. GRAY) asked the Postmaster General, What were the dates of the receipt, in Dublin and London respectively, of the latest Petition of the Dublin Telegraph Clerks, praying for an assimilation of their salaries and duties to those of the Telegraph Clerks in English provincial towns; what was the date and nature of the reply; and, whether a circular has been issued changing the designation of these Telegraph Clerks to "Telegraphists;" whether, if so, this change of name is general in the service; whether it affects the official status of the clerks, and, if not, what was the reason of the change?

LORD JOHN MANNERS: Sir, the Petition referred to by the hon. Gentleman was received in Dublin on or about the 23rd November last, and was received in London the 28th November. The matter to which the question refers is of considerable importance, and requires very careful consideration, and I have not as yet come to any decision on it. With respect to the last part of the Question, a Circular was issued changing the name from telegraph clerks to telegraphists; but that change was general to all the clerks of the Service. It does not in any way affect their status, and was adopted simply with a view to general convenience.

BRITISH COLUMBIA—THE ESQUIMALT DOCK.—QUESTIONS.

Colonel ARBUTHNOT asked the First Lord of the Admiralty, What was the date of the promise by the Imperial Government to grant £50,000 on completion of the Esquimalt Dock, a promise referred to in a Paper printed and laid before the Legislature of British Columbia on 7th February 1878, under the title "Graving Dock Correspondence;" what sum has already been expended on the dock at Esquimalt by the province of British Columbia; whether, as a doubt exists as to Esquimalt being the best site for a dock in the Pacific Station, he will state what other site or sites are now available; and, whether, by the Act of Incorporation of British Columbia with the Dominion of Canada in 1871, the Dominion Government is bound to "use its influence to secure the continued maintenance of the Naval Station at Esquimalt?"

Mr. W. H. SMITH: Sir, the sanction of the Treasury to a grant of £50,000 to British Columbia on the completion of the Esquimalt Dock was communicated by letter to the Colonial Office from the Admiralty, under date December 19, 1874. The sum expended and the liability incurred on this work by the Province up to December 31 last was $208,998, or, roughly speaking, £41,799. What other sites may be available for a dock on the Pacific Station is a question which I do not think it would be for the advantage of the Public Service that I should discuss. I have only to add that I believe there was an undertaking on the part of the Dominion Government to use its influence to secure the maintenance of the Naval Station at Esquimalt.

Mr. CHILDERS asked, Whether the promise in 1874 was to make a grant or a loan?

Mr. W. H. SMITH said, there had been a previous promise of £30,000 as a grant on the completion of the docks, and it had since been extended to £50,000.

BANKING AND JOINT STOCK COMPANIES BILL.—QUESTIONS.

Mr. MUNTZ asked Mr. Chancellor of the Exchequer, Whether the Banking and Joint Stock Companies Bill will, when reprinted, give to Limited Banks the power to register with reduced liability, and take advantage of its provisions?

The CHANCELLOR of the EXCHEQUER: Yes, Sir; it is proposed to meet that point.

Sir JOSEPH M'KENNA asked on what day the Committee would be taken?

The CHANCELLOR of the EXCHEQUER hoped the re-printed Bill would be circulated by Saturday, and he would put the Committee down for Monday; but he was not quite sure that he would be able to bring it on on that day.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTIONS.

Sir GEORGE CAMPBELL asked Mr. Chancellor of the Exchequer, What course he intended to take as to the discussion of the Treaty with Afghanistan? As he (Sir George Campbell) had a Notice of Motion on the subject, he would be glad to consult the right hon. Gentleman's convenience.

The CHANCELLOR of the EXCHEQUER: I am afraid I cannot name any special day for it; but there will be opportunities for discussing the matter both on the Order for going into Committee of Supply, and on the various stages of the Appropriation Bill.

Sir GEORGE CAMPBELL: But will the right hon. Gentleman make a statement on the subject himself, and give us an opportunity of discussing it?

The CHANCELLOR of the EXCHEQUER: No; I am afraid I cannot undertake to do that.

In reply to Mr. W. E. Forster and Mr. Newdegate,

The CHANCELLOR of the EXCHEQUER said, the Government proposed to take the Public Works Loans Bill at 2 o'clock to-morrow. He was afraid they would have to ask the House to sit on Saturday for the Committee on the Bankruptcy Bill. It would probably be convenient to the House to take the Vote of Credit for the Zulu War on Monday. On Tuesday they proposed to proceed with the Committee on the Irish University Bill.

Mr. FAWCETT begged to remind the Chancellor of the Exchequer that he had promised to give him an opportunity for bringing on his Motion in regard to the water supply of London.

THE CHANCELLOR OF THE EXCHEQUER said, he still intended to do so; but it would be impossible properly to discuss it next Tuesday, or on any other day after 9 o'clock; and, therefore, he proposed to fix a later day, when it could be taken at an earlier period in the evening. It would not, however, be possible to make sure of obtaining such a day next week.

SIR HENRY JAMES appealed to the right hon. Gentleman not to proceed with the Bankruptcy Bill on Saturday, as most of the lawyers who had seats in the House could not be in attendance on that day.

THE CHANCELLOR OF THE EXCHEQUER said, he would consider what arrangement could be made on the subject, and would communicate it to the House.

MR. M. BROOKS asked Mr. Chancellor of the Exchequer, as it was a matter of convenience for Irish Members, Whether the Local Courts of Bankruptcy Bill would be taken on Saturday?

THE CHANCELLOR OF THE EXCHEQUER said, the Irish Bankruptcy Bill would not be taken on Saturday.

SIR JOSEPH M'KENNA asked if it was necessary to have a Morning Sitting on Tuesday?

THE CHANCELLOR OF THE EXCHEQUER said, he thought it would be the most convenient course.

ORDERS OF THE DAY.

WAYS AND MEANS—COMMITTEE.

Order for Committee read.

SOUTH AFRICA — ESTIMATE OF EXPENDITURE.

MINISTERIAL STATEMENT.

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, I rise for the purpose of moving that you do now leave the Chair. It had been in my mind that I might make the few observations I have to make in Committee; but I find that we may, perhaps, be some time before getting into Committee, and I believe it will be more convenient to the House that I should say the few words I have to say now, instead of waiting until we get into Committee. At the same time, I do not understand that it is likely the House will desire now to enter into any discussion of the subject I have to bring before them; but, of course, I am in the hands of the House. I promised some time ago that we would lay the Estimate for the Vote of Credit that would be required for the War in South Africa on the Table of the House before the close of the month of July, and I am just within my promise, having delayed as long as possible, for the obvious reason that I was anxious to get the latest intelligence, in order to form, as far as possible, an idea of what was likely to be the course and, therefore, the expense of the war. We have not yet received absolutely final intelligence; but we have received intelligence of a character which renders me less indisposed to offer an estimate of what the probable cost of the war will be. I have mentioned more than once in the House that, according to the best calculations we were able to make, we believed that the additional expenditure from the Army Services for the war were at the rate of about £500,000 per month. Recently I have gone with more care into this question, and I have discussed with the Accountant General of the Army, and also the Accountant General of the Navy, all the information that they had at their command, and the result is this —that the War Office calculate that the net cost of the war beyond the sums already provided in the Army Estimates will be covered by £500,000 a-month; and they carry this expenditure at the full rate up to the end of July. From that time it is considered that the expenditure ought to diminish rapidly, although it is probable that it will not come to an end immediately. Therefore, I propose to take a further sum of £450,000 for the possible expenditure on Army account for what might be the remaining period of the war. Then the Navy has given an estimate of £500,000 as the probable cost of transport, and we have allowed a sum of £50,000 for contingencies. Under these circumstances, the Vote of Credit which I shall lay on the Table is for a sum of £3,000,000— that is to say, £2,450,000 for the Army, £500,000 for the Navy, and £50,000 for contingencies. That is the best estimate we can form of what is likely to be required. At the same time, the House is of course aware that in these matters there is room for uncertainty, and that it is impossible to give a complete, full, and accurate account. Reckoning, however, according to the accounts we have received, and also according to the rate of drawing upon the Treasury Chest, I feel perfectly satisfied that a Vote of that character will be, if not sufficient for the whole of the expenses of the war, at all events sufficient for anything that will be required to be provided between this and the next Session of Parliament. I hope it will fully cover the expenditure that will have to be incurred. That being the case, I must remind the House that that expenditure will raise the total amount of expenditure advanced by this country on account of the South African War to something like £4,500,000, including what was voted at the end of last year —I must also remind the House that that expenditure is expenditure which ought not, certainly, to fall in whole upon the Imperial Exchequer. From the earlier period of these transactions, and, indeed, from the period of the previous war which had been going at the Cape—what is called the Transkei War —we have kept before the notice of the Colonial authorities the fact that the advances that were made by this country were not to be considered as admitting that we undertook to bear the whole of these expenses ourselves. I do not know that at the present moment I can very conveniently go into the details of the claims that we think we shall have against the Colonies. The Papers which have been presented to the House, and especially those which have been presented within the last day or two, will show what the views of Her Majesty's Government have been; and I will only at the present moment refer to one or two despatches rather as indicating what they will do well to pay attention to than attempting myself to exhaust this subject. They will see, in Paper No. 2,000, presented last year, that as early as in January, 1878, Lord Carnarvon called the attention of the Cape authorities to the mode in which it would be right and necessary that provision should be made for the expenditure which was then being incurred at the Cape in connection with the Transkei War. Previous to that time, the arrangements with the Cape had been that they made a normal payment of £10,000 a-year to the Imperial Exchequer in respect of the Forces that had been kept there. But in the end of 1877 two additional regiments were sent out to the Cape in connection with the war that was then going on, and it was understood that the Cape should bear their cost, and provision was made in this despatch and others that they should make monthly payments to the Treasury Chest on account of the drafts that might be made upon the Treasury Chest for commissariat and other services. Well, that went on until the Transkei War was over; and it will be seen in the next volume, Command Paper No. 2,374, that on the 8th of August, and again on the 19th of December, my right hon. Friend the present Colonial Secretary wrote despatches calling for an account of the expenditure which had been incurred. The House will also see in the same Papers a Minute—a reply, in fact—from the Cape Government to those statements. They will see that the Cape Ministers informed my right hon. Friend that they had already obtained in one way or another the sum of £1,254,000 towards the expenses of that war. They had taken power to raise a war loan of £750,000, and according to this account they had spent £1,254,000. Then I would direct attention to the last and most important despatch of my right hon. Friend, which is to be found at page 3 of the same Book, in the Correspondence which has been delivered within the last few days—the despatch dated 12th of June, in which my right hon. Friend points out what the principles are upon which the claims to be made against the Cape Colony are founded. I think it would be inconvenient, at the present moment, to provoke a discussion which I doubt whether the House has any desire to enter into, by going into the details; no doubt, that will be a matter for future discussion; but I would draw attention to these particular despatches, as showing the principle upon which we have proceeded with regard so the Transkei War. Now, with regard to the Zulu War, it will be found that there is not the same amount of information in these Papers; in point of fact, this is a matter which is still too incomplete to enable us to deal with it quite in the same categorical manner. Of course, the Colony which is mainly interested in the Zulu War is the Colony of Natal, and various communications have passed between my right hon. Friend and the authorities at Natal urging upon the Governor there to do all that was in his power to keep down the local expenditure in every way; and also to make provision for the claim that will have to be made upon the Colony of Natal for expenditure incurred on account of Natal out of Imperial funds. With regard to that matter, and, indeed, with regard to the whole question, I may say that general instructions of the strictest character have been given both to Sir Henry Bulwer and to Sir Bartle Frere and, last, to Sir Garnet Wolseley; and, moreover, that it is now the intention of Her Majesty's Government to send one or two officers—the Accountant General of the Army, and probably some gentleman from the Treasury—to go out at once to Natal or the Cape, whichever may be found most convenient, but probably to Natal, in order to examine the accounts, and to see in what way the expenditure can be properly apportioned between the Colonial and Imperial resources. I hope before Parliament re-assembles we shall be in possession of information which will enable us to deal much more satisfactorily with the question than we are able to do at the present moment. Therefore, the net results of what I have at present to say is that we have to provide temporarily for this sum of £3,000,000, which will be required in order to carry us on, as we believe, to the end of the Zulu War. Well, then, I have only to say how that sum affects the finances of the year. The House will bear in mind that at the time of the Budget I estimated the income of the year at £83,055,000. I estimated the ordinary expenditure, excluding anything that might occur from the Zulu War, at £81,155,000, showing at that time a surplus of £1,900,000 of ordinary income over the ordinary Expenditure. Since that time some Supplementary Estimates have been presented to the House, which appear upon the face of them to amount to £89,000, but which, in reality, only amount to £64,000, because the Vote for Cyprus pioneers is merely a transfer from another head of the Estimates. They involve, therefore, an addition of £64,000 to the Estimates of the year. Add to that the Vote of Credit which I shall have to ask on account of the Zulu War, and we get an Expenditure of £84,218,000, showing a deficiency of income of £1,163,000. Well, Sir, the Revenue prospects for the year I cannot say are brilliant; at the same time, they are not so unsatisfactory as to lead to the belief that they will fall short of the Estimate in the long run. The Estimates were very carefully taken; and I have gone through the present financial Returns with the heads of the Revenue Departments, and, upon the whole, I am of opinion that we may fairly reckon at the present time upon the amount of Revenue which we took for our basis in the month of April. I therefore take the deficiency at £1,163,000, and I have to remind the House that there is a sum which we hope and expect to recover from the South African Colonies. We have claims still against them in respect of what was advanced in former years. I therefore think that we may consider that we have only to make a temporary provision for the present loan. Of course, some little time must be taken in ascertaining what the exact outcome of these arrangements will be; but, for the present, I think it will be sufficient that the House should be asked to make temporary provision for this sum by granting to us the privilege and the right of issuing Exchequer Bonds for the amount of £1,200,000. That will cover the amount, and will, I think, bring the Ways and Means of the year up to the amount which is required by the expenditure. I do not, of course, intend to make that proposal in Committee of Ways and Means to-day; but I shall bring it forward probably on Monday—that will depend upon the other Business. What we have to do in Committee to-day will be merely to effect a renewal of those Bonds which are at the present time falling due. I beg to move, Sir, that you do now leave the Chair.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Chancellor of the Exchequer.*)

MR. CHILDERS desired, before the hon. Gentleman the Member for the Elgin Burghs (Mr. Grant Duff) introduced his Motion, to make one or two comments upon the Statement just made by the Chancellor of the Exchequer. He assumed that the House would not, on the present occasion, discuss the circumstances which had led to the expenditure for the Transkei and Zulu Wars, or, indeed, discuss in detail the financial position of the Government. But, at the same time, it might be convenient to put one or two figures in a simple form, in order that when they did come to the discussion of the question they might be prepared to do so, not only from the point of view of the Chancellor of the Exchequer, but of those who might not quite agree with the right hon. Gentleman. It was worthy of remark that in the last two years they had had six Financial Statements, instead of two. He assumed that the present Statement would wind up the affairs of the present year; but it almost looked as if they were to have a seventh, which the Chancellor of the Exchequer nearly promised to them at the commencement of the next Session. He wanted to remind the House what the exact state of the case about these six Budgets was. They commenced with an Estimate, in February last year, of £6,000,000 in connection with the War in the East. No Ways and Means were asked for this, which the House was even told might not be spent. Then, in April, came the Budget, which added £3,750,000 to the taxation of last year, and £4,500,000 to that of this year, and they were promised that by the end of this year the new taxes would have wiped out all the additional expenditure. In August came a third Budget, with no new Ways and Means, but additional expenditure of more than £2,000,000. The fourth Statement was in last February, with further expenditure to the extent of £1,100,000. Then came the Budget in April, making the accumulated deficit of the last two years £4,930,000, but hoping that the Zulu War would only cost £1,300,000 more, to be met out of this year's surplus. And now they heard that the Zulu War would cost, up to the meeting of Parliament next February, at least £3,000,000; and that instead of paying off their debts at the end of this year, as the Budget of 1878 promised, they would then be in a deficit of £6,094,000. What, then, should they have done towards paying off the debt for the War in Europe? No one would deny that such an expenditure as that of the Transkei and Zulu Wars, spread over three years, ought to be met out of the Revenue of those years. No one had ever yet proposed to deal with wars of the kind by way of deferred payment; and, therefore, the logical result was that if those two wars were dealt with out of the Revenue of the year they would close the present year without having devoted one sixpence towards the expenses in connection with the War in the East, which just amounted to £6,000,000, the deficit at the end of this year. They would have to begin again on the 1st of April next, spreading that payment over a series of years. Now, even if the basis of the present Budget could be trusted, the future surplus would be less than £2,000,000, and probably not much more than £1,000,000, so that on the 1st of April of next year they would start with a system of deferred payment for three, four, or five years. Whether that was sound finance or not he declined now to discuss; but he thought the House would clearly see what the effect of the proposal of the Chancellor of the Exchequer was. The right hon. Gentleman told them that they might expect to get some of the money back from the Colonies. He had read with great interest the Papers which came before the House on the previous day, and he thought they set forth very fairly the claim of the English Government upon the Colonies; and he should not say anything which would tend to deter the Colonies from complying with the request of the English Government. But it must be remembered that the Cape Colonists had said that they had spent £1,200,000, and that they did not intend to contribute any more. He hoped, however, that they would find it necessary to do so. He was not inclined to say much upon the Estimate of the Chancellor of the Exchequer with respect to the outcome of the present year; but he felt bound to point out to the right hon. Gentleman that, at the present time, the state of Customs and Excise Revenues was very nearly as bad as at the time when, in reply to the hon. and learned Member for Oxford (Sir William Harcourt), he said that, though they looked unsatisfactory, the returns would soon show much amendment. He considered, however, that the point to which he had drawn attention—namely, that not a farthing of the expense incurred in connection with the War in Europe had been met out of the Revenue of the last three years—required to be seriously weighed.

Sir ROBERT PEEL thought it would have been far better if the speech just delivered by the right hon. Gentleman

(Mr. Childers) had been deferred to another and more suitable opportunity, inasmuch as it consisted mainly in a discussion of the financial proposals of the Government during the last few years. What he (Sir Robert Peel) rose to call attention to was that the Chancellor of the Exchequer had most distinctly promised the House that, in the course of the present month, they should have an opportunity of discussing the whole of the affairs which had taken place in connection with South Africa. He understood that the Chancellor of the Exchequer had given Notice that he would, in Committee of Ways and Means, proceed to move certain Resolutions; but it appeared now that, without giving Notice, he had adopted a different plan, and he did not know that precluded hon. Members from entering into a discussion on Zulu affairs. The other day, when he attempted to draw attention to certain matters in connection with South Africa, he was told that he would have every opportunity to do so when the Estimate was proposed; but it appeared him that the Chancellor of the Exchequer had rather slurred over the promise he had made, to give the House a full opportunity of discussing the question, and he trusted the House would at once go into Committee and discuss the points raised by the proposals of the Chancellor of the Exchequer. The right hon. Gentleman had told the House that the Zulu War was only to cost £4,500,000; but those who were in the House at the commencement of the Abyssinian War would remember that they were told that the war was only to cost £3,000,000, when it really cost £9,000,000. No one in the House or in the country would believe that this miserable, mismanaged war in South Africa would only cost the taxpayers of this country £3,000,000 or £4,000,000. The Chancellor of the Exchequer, in his remarks, had made use of the word "additional" expenditure. Did the right hon. Gentleman mean to add that additional expenditure to what had been already incurred?

THE CHANCELLOR OF THE EXCHEQUER: What I meant by additional expenditure was the expenditure over and above the ordinary Army and Navy Votes.

SIR ROBERT PEEL said, that that showed what an appalling state of things they had come to; it showed how dangerous it was to trust to these flimsy remarks without bringing them to book. In addition to what had been already voted, which was large enough, they were now told the present Votes were additional ones; and, in spite of the pledge given to the House, it was proposed to drive off the debate until next week. The state of affairs was most serious, and yet they were not to be allowed to discuss them. He really thought the Chancellor of the Exchequer was bound in honour to bring on the discussion at once. He would appeal to the Government whether the present was not the most fitting opportunity to discuss the subject? He had come down to the House prepared to go most fully into the matter, and he had no doubt hon. Gentlemen on both sides of the House had done the same. He thought the country ought to know, without further delay, what was the state of affairs; and he, therefore, trusted that the Chancellor of the Exchequer would consent to discuss the matter at once.

THE CHANCELLOR OF THE EXCHEQUER: I may say, by way of personal explanation, that I stated some time ago that we would present this Estimate, and, having given Notice that it would be presented to-day, I was asked by the right hon. Member for Pontefract (Mr. Childers), and others, whether we would bring the matter forward and allow it to be discussed; but I gathered from the tone in which the inquiry was made that it was not desired that the discussion should take place to-day. I, therefore, did not bring the Vote forward, because I really thought it would be for the convenience of the House not to vote it to-day.

MR. CHILDERS said he, personally, should have preferred that the debate should have gone on that night; but they all clearly understood from the Chancellor of the Exchequer that it was not to be proceeded with.

THE INDIAN MUSEUM.

RESOLUTION.

MR. GRANT DUFF: Sir, I rise to call attention to the threatened dispersion of the Indian Museum, and to put forward some considerations which may, I would fain hope, incline the Secretary of State in Council to re-consider the determination lately come to, even if the hon. Gentleman opposite sees it his duty to oppose the Motion with which I shall conclude. I have the more hope that this will be so, because the recent decision is in flagrant opposition to other decisions not long since come to by the Secretary of State in Council; so that, in holding its hand, and not dispersing the collections, the India Office will only be reverting to its own earlier, and, as I venture to think, wiser ideas. The Indian Museum was established by the Great Company in 1798, and was the outcome of the same movement of mind which gave to our earlier Indian statesmen so prominent a place amongst Orientalists. That being so, it was natural that the first character impressed upon it should be a learned and antiquarian one. After some time, however, it passed into the care of Dr. Horsfield, who, being himself a naturalist of repute, gave more prominence to Natural History and Science. Later still, it came under the charge of Dr. Royle, who thought less of the promotion of learning or of science in the abstract, and more of direct commercial utility. He it was who developed the economical side of the Indian Museum. When, in 1860, with these three characters impressed upon it—at once learned, scientific, and helpful to trade—it passed from its original home in Leadenhall Street, the authorities at first intended to provide a really fitting home for it in or near the new India Office buildings which were begun shortly after. In 1865 a piece of land was acquired to be available for extending the India Office, and in 1868 the architect received orders from the then Secretary of State, the present Chancellor of the Exchequer, to prepare plans for an Indian Museum and Library, to be built on that piece of ground. The same idea found favour with my noble Friend the Duke of Argyll, who went to the India Office in the December of that year, and in the June of 1869 everything seemed about to be settled, when a telegram came from Lord Mayo, giving very bad financial intelligence, which stopped for a while any further progress. From this time forward, for several years, the plan of building an Indian Museum and Library, with rooms for the Asiatic Society close to the India Office, remained in abeyance—while we endeavoured, not without success, to retrieve the finances—but was very far indeed from being laid aside. Meantime, a portion of the Museum was exhibited from the beginning of 1870 onwards in very wretched and unsuitable rooms at the top of the India Office. After right hon. Gentlemen opposite came into power, the question was again considered, and on the 25th of June, 1874, the Council of India passed the following Resolution:—

> "Resolved, that it be determined to build on the vacant ground in Charles Street a museum and library, at an expenditure not exceeding £75,000, including internal fittings, with such assistance as can be obtained from the Imperial Government; and that during the construction of the building the offer of the Exhibition Commissioners be accepted to accommodate the museum at South Kensington on a short lease, renewable if desired."

Then followed a long negotiation with the Treasury as to how much the Indian Government ought to pay, and how much the Treasury ought to pay, which led to no definite result, and, in the meantime, the unlucky Museum, banished from its uncomfortable but central rooms in the India Office, was set out in galleries at South Kensington, far away from the full tide of human existence in this great town. So it has remained to this day, while various plans have been agitated with reference to its future, the last and worst of which is the plan of breaking it up and handing over its *disjecta membra* to the British Museum, to South Kensington, and to Kew. Now, I have not a word to say against the desirability of these great collections possessing a variety of Indian articles. Doubtless, such articles would fit most excellently into many of their departments. Nor am I concerned to say that there may not be many articles now in the Indian Museum which would not be more in their place at the British Museum, at Kew, or at South Kensington. I should be quite willing to see the Indian Museum part with a good many of its contents to these institutions for a fair price; but I do most strongly object to collections bought with Indian money, or presented by Indians, or Anglo-Indians, for the express purpose of increasing the knowledge of India in this country, being given away to institutions which have as much and as little to do with India as they have with Patagonia or Kamschatka. Why, the Indian Museum is now valued at £200,000. If the India Government is really so bad off that it cannot afford to pay for the looking after its collections, would not it be better to sell the whole thing and put the money into the Indian Treasury? The hon. Gentleman opposite will tell us that if he and those whom he represents succeed in dispersing the Museum they will have an eventual saving of £9,000 a-year. That saving, Sir, will be, I dare venture to say, most uncommonly eventual, for it will only be arrived at after the death of a number of persons who are, I am happy to say, likely to have a prolonged existence; but if they sell the whole thing it will be not much more inglorious, and in every way more profitable; for the British Museum, and South Kensington, and Kew will, no doubt, secure what they most want; and the other articles will many of them also find their way into good keeping; while the Secretary of State will put money into his purse, and be able to comfort himself with the old saying of Vespasian. There is, however, another plan which ought to be considered before anything irrevocable is done. Just about the time that certain difficulties arose with regard to building an Indian Museum on the piece of land which was acquired by the India Office in 1865—difficulties to which I need not further allude, for they have no bearing on the present state of the question—a communication came to the India Office from a Committee which was then sitting at the Colonial Office, with reference to the possibility of uniting their efforts and erecting a Museum for India and the Colonies. Out of this suggestion grew the project associated with the name of Dr. Forbes Watson, the project of a joint Museum for India and the Colonies, in a central situation, close to this House, in the midst of the full tide of human existence. The first site suggested was that of Fife House, and I put a Question to the Chancellor of the Exchequer about that site several years ago. Now, there seems available a somewhat better site rather nearer the place where we are now assembled. The idea which finds favour with a great many persons is to place the India Museum on the site of the building which used to be occupied by the Board of Control. Alongside the Museum, which would extend back to the roadway of the Embankment, would run a short street, on the other side of which would rise the Colonial Museum, which would be connected with the India Museum by a subway, but be under the control of the Colonial Office, as the other would be under that of the India Office or its Representative. In the Indian Museum building would be located the Indian Museum, the India Office Library—always excepting the departmental portion of it—and the rooms of the Asiatic Society, which now receives £205 a-year from Indian Revenues, a payment which would, of course, determine when the heavy burden of rent was taken off the shoulders of that deserving and famous, but by no means wealthy, corporation. In the Colonial Museum buildings there would be—first, the Museum proper; secondly, an adequate Colonial Library; and, thirdly, rooms for the Agents General, who have now to pay a very large sum annually for accommodation in the neighbourhood of this House. It always seems a most surprising thing to foreigners, and it would seem a most surprising thing to ourselves, if we were not so broken into anomalies of all sorts, that there is no place in this City where can be obtained anything like an adequate idea of what sort of places the English Colonies and Dependencies really are. Why, it is extremely difficult even for ourselves, for Members of Parliament with every sort of social advantage, to get anything like a good idea of the actualities of a Colony. Supposing any of us wanted, for example, to get an accurate notion of the present state of Tasmania, he would find it anything but an easy task, even after putting himself in communication with our Librarian here, and with the Geographical Society. There are, it must be remembered, a variety of questions which have nothing to do with politics, which persons not directly supporting whatever Government happens to be for the moment in power would be unwilling to trouble the Colonial Office with, and even if they did the Colonial Office has not the appliances or organization necessary for supplying such information at all generally. We want a place to which not only Members of Parliament and other privileged persons, but all persons, can go and learn, without cost and without trouble, what our Colonies and Dependencies are, where they are, what sort of things they produce, what chances the inquirers or persons in whom they may be interested have of bettering their condition or pushing their fortunes in those countries, what attractive advertisements with regard to our Colonies and Dependencies are mere wills-o'-the-wisp, what little-known and unregarded resources of wealth there may be in those regions which have not yet received bold advertisement. What we want is a place, to the creation of which the Mother Country on the one hand, her Colonies and Dependencies on the other, shall contribute, the object of which shall be to bring them nearer each to each for the common advantage of all. It appears to me that there is hardly any knowledge which is more likely to be useful to a British citizen, whether born in the Colonies, India, or at Home, than a wide knowledge of the gigantic Empire to which he belongs. That knowledge, and the feelings that naturally come of if, are true Imperialism, the best antidote to false Imperialism, the "bloody meddlesomeness," which is the offspring of ignorance, at the centre of affairs, acted on by self-seeking on the far-off Frontiers of the Empire. How many of us, however—even of us, I say, in this great and powerful Assemblage—have adequate knowledge of these things? Is there one of us that has? I very much doubt it. There are hon. and right hon. Members who know individual Colonies and Dependencies well. There are Anglo-Indians, there are Australians amongst us. There are some hon. Members who have made a rapid journey through many of the Colonies and Dependencies. One hon. Member, the hon. Member for Chelsea (Sir Charles W. Dilke), has written very brilliantly about not a few of them; but that was more than a decade ago, and a decade in the self-governing Colonies is an eternity. The late Sir Arthur Helps used to tell a story which is worth repeating. At one moment, when Lord Palmerston was making some arrangements for filling up vacant Offices, a difficulty arose as to who was to be Colonial Secretary. Lord Palmerston said—"I think I'll take the Office myself;" and the other people who were present, immediately after taking their leave, he said to Sir Arthur—"Just stay a little with me, and we'll look at the maps and see where these places are.' Well, of course, that was rather a caricature of the state of his Lordship's mind; but is it not, nevertheless, perfectly and painfully true—I put it to every man who hears me on both sides if it is not true—that, considering our enormous power and our enormous responsibilities, we all know a great deal too little about our Colonies and Dependencies? Nor do I see how it can ever be otherwise unless, in some perfectly accessible place where he who runs may read, we have brought before us without any investigation, nay, actually forced upon our notice, the actualities of these countries. Persons, Sir, who walk in the dark will inevitably stumble, and we deal in our Colonies and Dependencies with interests so gigantic that we can hardly make the smallest stumble without its costing us more in hard money than it would cost to keep up such an institution as I contemplate for 10 years, considerable though the cost would no doubt be. I may be told, however, that these views are the views merely of a small section of persons who have a belief in knowledge—a most unpopular belief in some quarters—or take a special interest in India and the Colonies. I deny that *in toto*. They are, I maintain, views, views very largely prevailing amongst the commercial classes of this country. Indeed, it was the mercantile community which first put into practice the principle which I am defending, of co-operation between England and her Dependencies in matters important to the material prosperity of both. For the mercantile community subscribed no less a sum than £2,700 towards the publication of the textile work which the India Office put forth for the purpose—first, of showing to England what lovely textile fabrics could be procured in India; and, secondly, of enabling England to emulate the perfection that had been attained by Indian artists. To show that the principles of the mercantile community are as good as their practice, I will, with the permission of the House, read one or two extracts from the very numerous memorials which have been sent to Her Majesty's Government from Chambers of Commerce, cities, towns, and important Associations in the United Kingdom, all urging that England should aid the Colonies and India in securing the establishment of the proposed Museums on the Embankment. The Manchester Chamber of Commerce says—

"That your memorialists warmly approve a proposal, recently brought under their notice, for combining within the same building a Colonial and an Indian Museum, thereby establishing an Imperial Museum for the Colonies and India for the supply of complete illustrations of the products and manufactures of our British Dependencies. That an institution of this character would supply important advantages and confer benefits not alone on India and the Colonies, but also upon this country; and, in the opinion of your memorialists, such an institution would be entitled to a liberal grant from Imperial funds in aid of its establishment."

The Bradford Chamber of Commerce says—

"That your memorialists have noticed with great satisfaction the scheme of a really Imperial establishment, embracing India as well as the Colonies, and combining museums, libraries, lectures, offices, and all requirements for study, art, commerce, industry, and government, in one central building, erected at the joint expense of the Mother Country and her Dependencies. That your memorialists believe that such an undertaking, to be of real use to the merchant, the manufacturer, and the student, should have a central position at no great distance from the Government Offices and the city, with easy access to visitors from the country."

The Bristol Chamber of Commerce says—

"That in the present depression of commerce, and the scarcity of sound investments for absorbing the savings of the country, it is the highest policy to make as widely known as possible the resources of India and the Colonies, which experience has proved to be more reliable in their business relations with us than those of the majority of foreign countries can be said to be, and which, although they already take about one-third of all our exports, and have afforded safe investments to probably more than £300,000,000 sterling of English capital, still possess boundless capabilities for further development."

The United Association of Chambers of Commerce says—

"That the proposal now before the public for the establishment of an Indian and a Colonial Museum on the old Fife House site on the Victoria Embankment has the approval of this Association. That as, in the opinion of the Association, the proposed Museums are likely to be of great benefit to England, as well as to India and the Colonies, one-half of the expenditure required for establishing them, as also for their future maintenance, should be paid by this country; that as, in the opinion of this Association, the selection of the site for the proposed Museums will have a decisive influence on their future usefulness, no plan will be at all satisfactory which does not secure their establishment in a central position, where they will be easily accessible to all classes, commercially or politically interested in India and the Colonies. And further, that, in the opinion of this Association, the proposed site on the Victoria Embankment satisfies all the required conditions."

The following resolutions were unanimously adopted at a meeting held in the Egyptian Hall in the Mansion House:—1st. Proposed by the Right Hon. E. Pleydell Bouverie, seconded by Philip Twells, Esq., M.P.—

"That, in the opinion of this meeting, it is expedient to establish in London an Imperial Museum for the Colonies and India, and that such a Museum should be placed in a central position, easily accessible to all classes, whether political, commercial, or industrial."

2nd resolution. Proposed by Alexander M'Arthur, Esq., M.P., seconded by Hugh Matheson, Esq.—

"That the proposal to establish such a Museum on the Victoria Embankment has the warm approval of this meeting; and that, as the proposed Museum is calculated to be of great use to this country as well as to India and the Colonies, it is the opinion of this meeting that Her Majesty's Government should take the necessary steps to aid in securing its establishment on that site."

I could go on quoting for the next hour or two the opinions of influential bodies of mercantile men upon this subject; but I think, Sir, I have done enough to show that the commercial classes take a great interest in the scheme of a united Indian and Colonial Museum. But I should like it to be distinctly understood that although I think it would be greatly to the advantage of this country, of its Colonies and Dependencies, that we should have such a Museum, and although I have no doubt that if the Government would take the initiative the Colonies would do their part, I am not attempting to get the House to come to any Resolution on this subject at present. What I am pleading for is delay. I am most unwilling that while this scheme is being discussed in the country, while men's minds are becoming more and more accustomed to the idea of its being necessary to have what may be called an object-index to the British Empire in the Metropolis of the British Empire, India should, by a hurried and ill-considered step, be put at a disadvantage. If she disperse her Museum now she will most assuredly be obliged to repent at leisure, and to re-collect it when she happens to have Rulers more persuaded of the importance of visual teaching than are those who now direct her destinies. Visual teaching is becoming every day more popular. In all directions we hear the complaint that education has long dealt too much with words, too little with things. If I were asked what I thought the greatest fault of our Indian Civil Service, for which I have a very high admiration—an admiration greatly increased by having seen it at work in India—I should say that its greatest fault was a want of power to learn by the eye, a want of curiosity about the objects in the midst of which it passed its life. That cannot continue under the influence of the new educational ideas which are abroad; and before a generation is over, if the Museum is really broken up and dispersed, the names of the men who broke up and dispersed the Indian Museum will be remembered with execrations from one end of the Peninsula to the other. I doubt whether it would be possible to make a better investment of Indian money than by conveying a real feeling for India to a really large portion of the British public. Why, what is the only accusation that can truly be brought against us as a nation in our dealings with India? The English are just, say our foreign critics, but they are not sympathetic. How, then, can their sympathy be aroused? We cannot take millions of our people to India, even in this day of travelling facilities; but we can bring India to millions of our people —that is to say, we can bring the picturesque, interesting side of India into the midst of them. We can do a great deal to make them proud of ruling the races which raised the temples of Southern India, and the Jumma-Masjid, and the Pearl Mosque at Agra, and that wonderful Taj Mahal, which leaves all the other marvels of human architecture, except the Parthenon, at so great a distance. There was a time when much could be done by the cry of justice to India. In the days of Burke, God knows! there was reason enough for it. Very little can, I think, be effected by that cry now; for, having had occasion to look at the relations of the two countries from the Indian and English side, and more from the English than the Indian side, I have come, as I said the other day, to the conclusion that if we are to be guided by bare justice, and not by kindly feeling towards India, the demands made upon her by England for establishments kept up for the joint advantage of the two Empires will not be less, but greater. The time will come when the constituencies will begin to realize this, and when they do—if we have not succeeded in creating in the mass of the people something very like a romantic interest in India, and further, in stimulating the power of India to produce things of all kinds, useful to the world, which are not easily to be provided elsewhere, which things she may exchange against our products to our mutual advantage—shall we not one day be asked in very angry tones—What is the real case for our continuing to hold India? Now, I want to know by what possible process we can create the kind of interest in India, which I would fain see, except by making quite familiar to England all that is most beautiful, and useful, and interesting in India? And how can we do that without some such institution as I am sketching—an institution to which may be given the name of Indian Museum, or anything else, but for which the present Indian Museum and Library, after proper sifting, would form an excellent nucleus? But, it is said, India is wretchedly, abjectly poor. She cannot do anything but exist. She cannot afford to have any of the higher adjuncts and instruments of government. That I utterly deny. That is just as foolish an exaggeration as was the exaggeration of those who generalized the stories they heard of the splendour of the Great Mogul, and believed that India was a country where gold and diamonds were as common as iron and flint among us. The simple truth is that India can afford everything which it is primarily important should be possessed by a State in her circumstances. And I maintain that such a Museum as I wish to see established is of primary importance to a State in her circumstances. She must be economical; she cannot afford anything like luxurious expenditure; but as little can she afford that short-sighted parsimony which robs to-morrow of a pound to save a penny to-day. What case can be made in favour of breaking up the Museum which cannot also be made against getting rid of the library, in so far as it is not a mere departmental library? If Vandalism is to be the order of the day, why not carry it through all proceedings? Is it, perhaps, that this proposed selling of the Museum is not a well-considered piece of policy, but a mere impatient cutting of an official knot, which it is the business of the Secretary of State in Council not to cut, but to unwind? The Under Secretary of State, in reply to me, will not be able to make anything of the expense of the present Museum. It may be that that expense is too great; if so, diminish it; but a large diminution of the expense is entirely compatible with keeping together everything in the Museum which ought to be kept together, and I believe we shall learn, in the course of this debate, that overtures have been made to the Indian Government with a view to the keeping together of the Museum at a diminished cost. Nor is anything to be made against my contention by saying that India ought not to be at the sole expense of keeping up a Museum in London. I think I could prove that if the Museum had been put on the footing and located in the place which would have best suited it, it might have been well worth India's while to have kept it up at her own expense. But that is not the proposition for which I am now contending. I am contending merely that nothing rash should now be done which may prevent India's coming to an arrangement with the Imperial Government for a joint keeping up of a Museum which may be for the joint benefit of the whole Empire. Anyone who likes it may ring the changes upon the poverty of India as much as seems to him good; but he will in no sort of way touch my argument unless he can succeed in showing the uselessness of an Indian Museum, arranged according to the best modern principles, and explained as all Museums intended primarily for the instruction of the people—and not, like the British Museum, primarily to advance the science and knowledge possessed by the leading minds of humanity—should be explained, by trained instructors, as they are in Copenhagen, the only city in which, so far as I am aware, museums are thoroughly worked for popular instruction. If anyone can succeed in demonstrating that I have no more to say, except that if he succeeds he will upset a great many other things beside the Indian Museum. He will, in fact, turn back one of the most powerful currents of the age—that which is running in favour of teaching the people not exclusively by words, but also by things. The hon. Gentleman concluded by moving the Resolution of which he had given Notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "having regard alike to the traditions of our rule in India and to the expediency of establishing, at an early period, by the joint action of the Mother Country, its Colonies, and Dependencies, an institution in which the productions of all those Colonies and Dependencies should be adequately represented, it is undesirable that the Indian Museum, collected at great cost by the East India Company, and taken over by the Crown, should now be broken up and distributed,"—(*Mr Grant Duff*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. WILBRAHAM EGERTON, as one of the general public interested in the Indian Museum, and also as one interested in the history and archæology of that country, where he had travelled, desired to say a few words in support of the Motion. It would be most short-sighted policy on the part of the Government to abolish or disperse the collection, because it was impossible to make the people of this country properly acquainted with the size, wealth, and resources of the Indian Empire, unless they had an opportunity of seeing a Museum which illustrated those facts; and no scheme would be satisfactory which separated it from the library. The reason why so few persons visited the Indian collections at South Kensington was that they were placed in galleries, the approaches to which contained nothing to attract people or direct them further. Nothing could be so fatal to the objects of the Museum as to relegate it to Kew, which was too remote for popular as distinct from scientific interest. The Indian Museum ought to be in an easily accessible part of the Metropolis, and within a short distance of the library, so that both products and books could be referred to without difficulty. The Commissioners could not promote science and art more legitimately than by allowing the collections to remain at South Kensington rent-free until an arrangement could be come to between the Treasury and the India Office. A sum of £10,000 a-year, divided between the two countries, would be well laid out in the establishment of a Museum in a central part of the Metropolis, and it would be amply repaid by our increased knowledge of the manufactures and products of India, and by the greater interest the people of this country would take in that country. It would be very short-sighted to break up a valuable Museum for the sake of saving that sum. When Indian objects had been exhibited at Manchester and Derby they excited great popular interest; and some of our textile fabrics, such as hangings and carpets, had been greatly improved by the study of Indian manufactures. If it were worth while for India to be represented at International Exhibitions, it was surely worth while that it should have a permanent exhibition in this country.

Mr. FAWCETT said, he did not desire to dispute the abstract advantages of Museums in general, nor of an Indian and Colonial Museum in particular; but he thought the question of cost and its incidence were somewhat lost sight of. He attended the City meeting, at which, after two hours of speaking, being asked to say a few words, he expressed a desire to move an addition to the Resolution to the effect that the cost of the Museum should be borne by England, and not by India. But this was not entertained, because it was said the question of cost did not concern the meeting. It did, however, concern this House, and the way to bring it home was to consider what would be said if England were asked to bear the cost of maintaining corresponding Museums of English products in Calcutta, Bombay, and Madras. This debate furnished an illustration of the difficulties to be encountered by any Government that desired to reduce Indian expenditure. It was easy to preach economy in the abstract; but every application of the doctrine would provoke objections from some advocates of expenditure who would say—"Look somewhere else for economy." In the event of the Amendment of the hon. Member for the Elgin Burghs being adopted, he would move at the end of the Question the following words—

"And this House is further of opinion that if it should be decided, in opposition to the recommendation of the Indian Government, to maintain the Indian Museum in London, the expense of such a Museum ought to be borne by England, and not by India."

Mr. LYON PLAYFAIR said, he had much sympathy with the views of the hon. Member for Hackney (Mr. Fawcett), but did not agree with him to the full extent of the recommendation he had made to the House. The Council of India were not a good body to maintain and conduct the Museum, and had shown much vacillation of purpose in regard to it. Nevertheless, such a Museum was extremely valuable, and the question was whether some method could not be devised whereby the large charge of £9,450 a-year on the finances of India might be largely diminished? He believed that £7,500 was the amount of the legitimate Museum expenses. Such a Museum was of great importance to our Indian Empire in two senses—in a political sense, and in an industrial sense. It was of great importance in a political sense that the masters of India—this country—should take an interest in her history, in her manners, her social habits, and in her industrial relations and manufactures; and, surely, there could be nothing more likely to interest this country than a well-organized and properly illustrated Museum, by which we could understand how much civilization had advanced in that country, and see that the Natives were by no means the barbarians we considered them. In an industrial sense, the Museum had a double use. It was useful to India, because England was a great customer of India, and it was well that there should be a complete picture of the products of India in a country which bought most of India's goods and manufactures. It was useful to England, because of the advantage it gave in the display of Oriental art and designs, from which our manufacturers benefited. Therefore, this was not an English or an Indian question alone, but a question of joint interest, and it was acknowledged that it was so in 1875, when the Treasury intimated to the India Office that they would be prepared to consider the necessity of furnishing, at the joint expense of England and India, such a Museum. He had gone into the question of expense with those who had considerable knowledge of museums; and he believed that, instead of the absurd sum of £7,500 a-year, the cost of conducting this Indian Museum should only be

£2,000. If the Government asked the Department of Science and Art, they would find that the Museum could be managed and much improved for that sum. Then came the question of rental. Much had been said about the bad position of South Kensington, and the desirability of having the Museum in a central position; but such a position could not be had without incurring an expense which neither Government cared to incur at present. The question was, whether they could not by simple and moderate means avoid scattering the Museum, at least, for a few years, until the finances of both countries were in a better position? Being a Member of the Executive Committee of the Commissioners of the Exhibition of 1851, he could state—and he was revealing no secret in saying so—that the Royal President (the Prince of Wales) had written to the Prime Minister offering, on the part of the Commissioners, to make facilities for keeping the collection as long as it was considered desirable in their buildings, at a very great reduction of the rent, should the Government desire it. If the Museum was not, at present, as popular as it might be, there was no wonder, because there were no catalogues, and nothing to make things intelligible. He was sure that by the payment of £2,000 a-year on the part of the Indian Government the Museum could be put on a sound basis for a number of years; and he hoped the Government would convince the Indian Government that this was not the time to scatter a Museum of this kind.

MR. BERESFORD HOPE added his earnest request to the Under Secretary of State for India not to adhere to so pitiful a policy as the dissolution of our national Indian collection. Let it not go out to the art-collecting nations of Europe—to Paris, Vienna, and St. Petersburg—that for £2,000 a year we had dispersed an unique Museum of the history, arts, and productions of that Dependency which was our special boast and the envy of the world. What would be the inference? That England must be very hard up, on the very verge of bankruptcy, if she should allow such a thing to be done. One stroke of the pen might disperse the Museum; but what would ever bring it together again? As his hon. Friend the Member for the Elgin Burghs (Mr. Grant Duff) had pointed out, there was a sentiment in the thing. This Museum was 80 years old. It went back to the great days of the Wellesleys, to the traditionary history of India. What effect must the dispersion have upon the Native mind, which was so much more accessible to sentiment than logic? As a student of art, as one who loved science, he must implore the Government not to have set against its name the black mark of having dispersed a Museum which had been ripening and growing for more than 80 years—that was, since we could call India especially our own.

SIR EDWARD COLEBROOKE said, that there was not the slightest objection on the part of the gentlemen connected with India that this collection should be kept together. The great difficulty the Indian Government had felt in this matter had been due to the grand and costly character of the proposed plan for placing the Museum on the Thames Embankment, and the doubt as to who was to bear the cost. The real question was on whose shoulders was the burden to fall, and the two Governments might determine to meet each other on this subject. He regretted that the question should be mixed up with the larger question of a Colonial Museum, from which it stood quite apart. If the various Colonies came forward to join in such a scheme, well and good; but now the question they had really to consider was this India Museum. He deprecated in the strongest way any shirking of the expense of maintaining this collection from economical motives. If that were once encouraged, he feared that the next proposal would be to get rid of the library. If the Government were willing to take the collection into the British Museum and into South Kensington, he trusted that by-and-bye the difficulty with respect to the cost of a building would not be insuperable, and that the ratepayers of this country would not refuse to bear a part of the expense. He sincerely hoped the collection would not be hastily dispersed; but that time would be taken for the consideration of some plan.

SIR GEORGE BOWYER agreed with those hon. Gentlemen who had urged the Government not to allow the Museum to be dispersed, for, if that was the case, "All the Queen's horses and all the Queen's men" would never put the

Indian Museum together again. In the India Office there were a number of interesting pictures representing Shah Jehan, Aurungzebe, and other former Rulers of India. He suggested that in the re-arrangement of the India Museum those pictures should be placed in a proper position where the public could see them.

Mr. W. E. FORSTER hoped this short discussion would have a practical result. At present, the sum of £9,000 a-year was paid at the expense of India to keep up a Museum which he believed was as good as it appeared to be badly managed. This was not a state of things to be regarded with any pleasure. In his opinion, it was rather mean to make the Indian Government pay for the maintenance of the Museum if it felt unable to do so. On the other hand, the Indian Government proposed to break up the Museum, and he should be very sorry to see that happen. Such a result would, in his judgment, be disadvantageous both to England and to India. Perhaps his hon. Friend (Mr. Grant Duff) might have exaggerated the advantages of the Museum; but, still, we ought not altogether to disregard them. By object-lessons of this kind we kept up popular and public interests; and when we were considering the interests of India we must bear in mind that it was the English people who ruled India, and that it was desirable that they should have everything which would give them an intelligent interest in the welfare of India. The exhibition of those ancient monuments of India, and other works of Indian art, would keep up that interest, and make us feel what our duties were towards the enormous population of India. That alone appeared to him to furnish very good grounds for not breaking up the India Museum. The proposal of the Under Secretary involved an enormous reduction as compared with the total amount expended on the Museum; because, instead of expending £9,000, it was proposed to expend only £2,000. It would be decidedly to the interest of India if this Museum were kept up for a few years, rather than that it should be broken up and scattered. The question was, how that plan could be carried out? If the Museum were placed under the direction of the Department of Science and Art, it would be in the hands of a body who really understood how it might be improved. They knew very well that the South Kensington Museum was almost the most popular place in the world. He had no doubt if the Trustees of the Museum had the management of the India Museum they would make it far more attractive, and therefore far more useful, than it was at the present moment. He therefore hoped the Government would not pledge themselves to prevent this offer from being taken fully into consideration. On the other hand, he did not think it a right thing that India should pay this £9,000 for the Museum, seeing the very little benefit she had received from it. He quite sympathized with the hon. Member for Hackney that the House of Commons ought not to check the Indian Government in effecting economies; and he hoped, if this offer was found to answer, that the Chancellor of the Exchequer would not be unwilling to allow the £2,000 to be paid out of the English Exchequer towards the maintenance of this important Museum.

Mr. E. STANHOPE remarked, that the operative part of the hon. Gentleman's Resolution referred specially to the Indian Museum; but the remainder of his Resolution, and the greater part of his speech, referred to a scheme of a far wider character. It was a great Imperial scheme, and was part of the scheme put forward originally by Dr. Forbes Watson, whose imagination had soared so high as to lead him to propose the establishment, on the most expensive site in London, of a great Museum to be mainly paid for by India, where lectures were to be delivered, and he did not know what else done at the expense of the unfortunate taxpayers of India. That scheme had met with a great deal of approval in some quarters in that House; but whether it were realized or not it would not be fair to charge, and he did not believe the people of England would ever charge, the cost upon the Revenues of India. The hon. Member for the Elgin Burghs said that if such a plan were to be carried into effect the co-operation of the Asiatic Society might be relied upon. The belief at the India Office was that the reason why the Asiatic Society had not been able to make greater advances was because this visionary scheme of a central Museum was being constantly dangled before the eyes of the public. He believed that if such an idea were knocked on the head private enterprize would come forward, and endeavours would be made at once to enlarge the scope of the Asiatic Society and put some of its functions on a more satisfactory basis. The hon. Member said that if we did not adopt his scheme we ought to sell the Museum and thus get rid of it. That was not, however, the view taken by the Secretary of State for India, who attached great value to this collection, and who believed that the great objects which he, and he believed most Members of that House, had at heart could be secured, without any cost to the Revenues of India, by the scheme which he was now considering. What was the condition of the Indian Museum at the present time? Practically, in spite of its great interest, it was very little visited. The proposal under the consideration of the Secretary of State for India was altogether misunderstood by several hon. Gentlemen who had taken part in this debate. The objects of that proposal were—first, to make the Museum more generally useful to the public; and, secondly, to make portions of the collection available to different localities of the United Kingdom of Great Britain and Ireland, where they could be seen to advantage. Lastly, they wished to effect those objects without any charge on the Revenues of India. When they came to consider the scheme there were one or two points on which there would be no difference of opinion. Hardly anybody would dispute that it would be much to the advantage of the economic section of the collection that it should be transferred to Kew. At Kew, under the charge and the skilled direction of Sir Joseph Hooker, who had already an admirable collection of similar objects relating to India, the public would have before them a complete exhibition of that class of the products of India. Kew was a place which was visited every year by many thousands of persons, and it was not less accessible than South Kensington. Then they came to the zoological part of the collection. When the Natural History Museum was finished at South Kensington it would be to everybody's advantage to transfer to the authorities at South Kensington, and make as complete as possible, the zoological collection; and it would be hardly desirable that they should keep up their small collection of stuffed birds and animals where they had no persons properly qualified to explain them. They then came to the remainder of the collection. The plan adopted by the Secretary of State in Council was to appoint a Special Committee of the India Office to consider the best means of carrying out the objects he had just indicated. That Committee would be very glad to receive suggestions from those who wished to offer any. They would read with great interest what had been said in the House to-night, and he hoped that Gentlemen taking a special interest in portions of the collection, like the hon. Member for Cheshire (Mr. W. Egerton), would kindly communicate with them on the matter and give them the benefit of their experience and advice. But the instructions which the Secretary of State had given to that Committee were that they should do everything in their power, in the recommendations which they might make to him, to retain the special Indian character of that collection. It might have been desirable to transfer the whole of the collection bodily to the British Museum, the authorities of which would be glad to take it upon the condition of giving it a distinctively Indian character; but that idea was not entertained by the Secretary of State for India as the best course to be adopted, because he had in view another plan, which was that certain portions of the collection—certain duplicates—ought to be made available for the local Museums in the Provinces. There was no possible means at the British Museum for carrying out such an object as that; but at South Kensington they had a machinery ready to their hand for the purpose. It had been suggested—and the suggestion was now before the Special Committee to which he had referred—that the ancient sculptures which were of a similar description to those already exhibited at the British Museum should be transferred to the British Museum, and that the illustrations of contemporary art should be transferred to the South Kensington authorities. But they were now told by the right hon. Gentleman opposite (Mr. Lyon Playfair) that the Commissioners for the Exhibition of 1851 were about to make an offer as to what they were prepared to do towards meeting the objects of the Secretary of State in Council, and he understood that the Commissioners were prepared to reduce very considerably the rent charged for the building in which the Museum was at present placed. That was a proposal which should properly be submitted to the Committee which was now sitting; but he was not prepared to say that the Secretary of State would entertain any proposal that £2,000 a-year should be taken from the Indian Revenues for the maintenance of that Museum. When the right hon. Gentleman talked of its being perfectly easy to keep up that Museum at the rate of £2,000 a-year he appeared to overlook the miscellaneous character of the Museum they had now. Take the coins, for example. What was the use of having a collection of coins when they had nobody who was at all competent to give them advice as to arranging and improving the collection?

Mr. LYON PLAYFAIR explained, that what he had said was that the administration at South Kensington could do it for £2,000.

Mr. E. STANHOPE: That was a point which would be considered by the Committee appointed by the Secretary of State. But if those things were to be taken over by the South Kensington Museum, and to be used for exhibition to the people of this country, and also to be sent through the Provinces, why should not the people of this country do it for themselves? Therefore, the suggestion to be considered was whether they could not endeavour to make some arrangement with the South Kensington authorities, or with the British Museum, for the transfer of the collection to them, so that the Indian Revenues would ultimately be entirely free from that charge. He confessed that he was sorry to hear the sneers which had been indulged in at the Government's attempts to economize. But economy was not the main ground of their action in that matter. They believed that it would end in the exhibition being much better shown to the public; but if they could save £5,000 a-year it would be of great advantage. He might add that their maintenance of that Museum had led them into another extravagance; because whenever an International Exhibition was held anywhere the Indian Government had been asked to make a considerable contribution towards it. In conclusion, the Government believed that that collection might be made one that would really instruct and amuse the English public, and that, instead of being, as at present, passive, it might be brought into active life; and with that view he hoped the House would not pass a Resolution which was calculated in any way to hamper the action of the Secretary of State for India in Council.

Sir JOHN LUBBOCK observed, that he had not understood Dr. Forbes Watson to have proposed that the whole expense of a great Indian and Colonial Museum should fall upon India, but that the different parts of the Empire should contribute to the scheme in fair proportions. His hon. Friend the Member for Elgin (Mr. Grant Duff) had urged, very justly, as he thought, that when a project of that sort was before the public and was supported by large numbers of their countrymen in all parts of the Kingdom, it was a very unhappy moment to take for breaking up their Indian collection. No one, he supposed, would deny that it would be a great advantage for India if we knew more about her position and wants—if we had all, for instance, been able to spend some time there. Now, a Museum such as was contemplated by his hon. Friend (Mr. Grant Duff) was a sort of epitome of the country, and though, of course, only imperfectly, would to a certain extent remedy the defect, and be for the advantage of both countries. No one had a higher appreciation than he had of the valuable services of Sir Joseph Hooker; but, as the Under Secretary had told them, at Kew they already had a most admirable collection; and the same remark applied to a great extent with regard to the British Museum. No doubt, if that collection were really to be broken up, the Trustees of the British Museum would gladly receive it, still this would involve some expense. There was the great collection of ancient marbles. The buildings for the British Museum had not been constructed with reference to them, and they would occupy a considerable amount of space. The views he advocated were by no means confined to scientific men. The Association of Chambers of Commerce in the United Kingdom, in their Memorial to the Government, directed particular attention to the case of jute, the importation of which, though now amounting to several millions, was altogether a creation of the last 30 years. It might be said that if India produced something that we wanted, or *vice versâ*, we were sure to find it out sooner or later; it was only a question of time. That was true, but time was everything. We owed our commercial position very greatly to the rapid utilization of new materials and new processes; and, moreover, the existence of such a Museum might actually create markets for the productions of India. It might, and probably would, tend in that direction, both by raising and developing the skill of the workmen in India, and by creating in this country a market for high-class Indian productions. Moreover, the evidence of the high appreciation in which first-rate Native work would be held in England would re-act on India itself, and perhaps stem the debasement of Indian art, resulting from a mistaken introduction of European fashions, and create a better appreciation of the indigenous art. The Memorial adopted by the Working Men's Club and Institutes of London gave evidence as to the opinions entertained by working men. They said—

> "As artizans desirous of improving our artistic taste and industrial knowledge, we consider it highly desirable that we should have free and ready access to the admirable specimens of Indian workmanship to be found in the India Museum. The natural products and manufactures of that collection throw great light upon handicrafts in which we are engaged, and are calculated to promote our technical knowledge."

For his own part, he should not object to the Amendment of the hon. Member for Hackney (Mr. Fawcett). It could not be denied that the Museum would be an advantage to England as well as to India. But whether this were so or not, clearly the saving—the mere pecuniary saving—to India must be quite infinitesimal, and over and over again outweighed by the advantages the Museum afforded.

Sir GEORGE CAMPBELL said, that he also, as a Member of the Indian Council when the Museum was established, had listened with great regret to the "no surrender" speech of the Under Secretary. As for the Asiatic Society, notwithstanding what it owed to the hon. Member for North Lanarkshire (Sir Edward Colebrooke), it was quite incapable of undertaking the great task of maintaining and managing the Museum. The right hon. Member for Edinburgh University (Mr. Lyon Playfair) was very hard on the Indian Council when this Museum at South Kensington was established. The views of the Council were, in fact, those expressed by the right hon. Gentleman and others in this debate. They thought it most desirable that there should be a great Indian Museum, and that it should be established in England; but they, unfortunately, fell into the hands of the body to whom his right hon. Friend belonged, and who were, no doubt, a wise and useful body, but who considered it their duty to drive an exceedingly hard bargain with the India Office, and to claim an exorbitant rent for the Museum premises, in addition to excessively high charges for gas, heating, &c. There was no denying that the Museum at South Kensington had been a failure, and these charges, he was afraid, were among the causes. He suggested that a deal of trash which the Museum contained should be destroyed, that duplicate exhibits should be given to country institutions, and that some of the scientific objects should also be given away, leaving a valuable nucleus, partly economical and partly industrial, for retention by the Government, and for development when less was spent on spirited foreign policies and more on things useful to the people at home. He hoped that, some day or other, they would have an Indian Museum worthy of the name.

Mr. E. JENKINS said, it seemed, from the statement of the Under Secretary, that South Kensington was destined to gobble up the Indian Museum. If this took place, it would result in the expenditure of far more money, because they would be asked to erect a special building for it at South Kensington, at a cost of some £60,000, which would afterwards mount up to £250,000. If this took place, and he were alive and in the House, he would protest against it.

Mr. GRANT DUFF asked leave to withdraw his Resolution.

Lord ELCHO hoped the Report of the Committee, which had been referred to by the Under Secretary, would be laid upon the Table of the House before any final steps were taken in the matter.

Mr. E. STANHOPE could not accede to this request, which would have the effect of deferring all action in the matter for a year.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

WAYS AND MEANS—*considered* in Committee.

(In the Committee.)

(1.) *Resolved,* That, towards raising the Supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorized to raise any sum, not exceeding £3,000,000, by an issue of Exchequer Bonds, Exchequer Bills, or Treasury Bills.

(2.) *Resolved,* That the principal of all Exchequer Bonds which may be so issued shall be paid off at par, at the expiration of any period not exceeding three years from the date of such Bonds.

(3.) *Resolved,* That the interest of all such Exchequer Bonds shall be paid half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof.

House *resumed.*

Resolutions to be reported *To-morrow,* at Two of the clock;

Committee to sit again *To-morrow,* at Two of the clock.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NAVY—PROFESSIONAL OFFICERS IN THE DOCKYARDS.—OBSERVATIONS.

MR. T. BRASSEY, in rising to call attention to the responsibilities, rank, and emoluments of the professional officers in Her Majesty's Naval Yards, said, the position of the Constructive Departments in our Dockyards was by no means an unimportant question, for if the constructors of the Navy were inefficient our dockyard management would be a failure. Our ships would be too costly, or they would be badly built. On these two cardinal points of cost and workmanship the Constructors were solely responsible. It was laid down in the well-known Memorandum of Sir Spencer Robinson, which was prepared for the Duke of Somerset's Committee on the Board of Admiralty, that the Superintendent was in no sense responsible for the quality or the cost of the work done in the Dockyards. He was the vehicle through which orders passed from the Admiralty to the heads of Departments; but if a work which ought to have been done for £10,000 cost £16,000, he was not called upon to account for this excess. When a question was asked he directed the master shipwright to reply. All the Naval Superintendents who were examined by the Dockyard Commissioners in 1860 took a similar view of their position. The inquiry into the loss of the *Megæra* brought out distinctly the sole responsibility of the professional officers for advising the Captain Superintendent and, through him, the Board of Admiralty, as to the seaworthiness of a ship for any voyage or service that she was to undertake. He wished distinctly to disclaim any desire to see the Naval Superintendents of Dockyards superseded by civilians. But it was obviously most important that the Constructors should be qualified to bear the weight of responsibility thrown upon them. They should be men of education, technical knowledge, and experience, and with ability to direct the labours of large bodies of men; and he asked the House seriously to consider whether the rank and emoluments of these officers were sufficient to command in all cases men of the necessary qualifications for the Public Service. The unsatisfactory position of the Constructors was described by Mr. Oliver Lang, the able Master Shipwright at Chatham, in his evidence before the Dockyard Commission in 1860, who said—

> "I do not object to a considerable infusion of the working class, and their being allowed to rise to the highest offices in the branch. I complain that the sons of gentlemen are shut out entirely."

No substantial change had been made in the system of recruiting officers for the Constructor's Department since Mr. Lang's evidence was given. It was stated by Mr. Barnes, the Surveyor of Dockyards, in his evidence before the Stores Committee, that the present master shipwrights, in almost all cases, had been originally entered as apprentices in the Dockyards. The position of the professional officers of the Dockyards was the subject of very serious consideration on the part of the Committee on Dockyard Economy, of which Admiral Smart was the Chairman. That Committee had recommended that the status of the civil officers in Dockyards should be raised. The line between the employers and the employed had been very indistinctly drawn, and there had been a tendency to class the chief professional officers among the employed.

The master shipwrights and chief engineers should thenceforward be looked upon as commissioned officers, and be considered as identified with the Admiralty as the directors or employers of the labour, and not with those who executed the actual manual labour. A superior position in society and a superior education would always have their weight when placed in a proper position. The Commissioners who conducted the inquiry into the loss of the *Megæra* made some strong observations on this point. They said—

> "We feel compelled to remark that we have formed, however unwillingly, an unfavourable opinion as to the mode in which the administration of Her Majesty's Dockyards is generally conducted. The officers appear to us too often to have done no more than each of them thought it was absolutely necessary to do, following a blind routine in the discharge of their duties, and acting almost as if it was their main object to avoid responsibility."

What had been done since these Reports were presented to stimulate the zeal of the professional officers in the Dockyards? The Master Shipwright was now called Chief Constructor, but was still subordinate to the Master Attendant. The head of the Shipbuilding Department, who, at Portsmouth, for example, had from 4,000 to 5,000 men under him, ranked below the head of the Rigging Department, who had only 440 men under his orders. Sir Houston Stewart had very justly called attention to this anomaly. While their relative rank remained unchanged, only a trifling addition had been made to the salary of the professional officers. He would take Portsmouth as an example. In 1868-9 the salary of the Chief Constructor was £700 a-year, and that of the Chief Engineer £650; together, £1,350. At that time 3,460 men were employed in the Dockyards, their wages amounting to £210,258. In 1879-80 the salary of the Chief Constructor was increased to £850, but that of the Chief Engineer was reduced to £534 a-year, the joint salaries of the responsible heads of the two great departments of the Dockyard being £1,384, or an increase of £34 only on the total amount paid 10 years before. In the meanwhile, the number of men had been raised to 4,961—an increase of 1,500 in number, their wages amounting to £326,000, or an increase of £116,000 a-year. He had referred to the case of the *Megæra* as an example of the disasters that might occur from neglect of duty; but neglect of duty, in the form of omission to do a thing which ought to have been done, was, happily, a rare occurrence in Her Majesty's Dockyards. Extravagance and waste in going beyond the necessity of the case in the matter of alterations and repairs were far more common, and we had done nothing to encourage thrift and economy. The results that necessarily followed had been pointed out, not only by Committees and Commissions, but by independent critics of great authority. Admiral Smart's Committee had referred to this question in their Report. They thought that too little regard had been paid to cost, as distinguished from workmanship, and they recommended that some tangible mode should be provided by which any officer could be able to claim the credit of public approbation for any economy to the Public Service which had been obtained by his good management. Persons accustomed to administrative business would readily concur in the observation of Lord Clarence Paget, that—

> "Where one Dockyard is found to conduct its business more economically than another it should be an understood thing that the officers of that Yard, who had, by their attention to these important matters, caused a saving of public money, should be advanced—that encouragement should be given to economy."

Nothing, however, had been done to carry out that suggestion. No instance had occurred of an officer having been dismissed or suffering a loss of salary for extravagance, nor had any officer been promoted or pecuniarily rewarded for economical administration. There was no equitable principle in the amounts of the salaries awarded to the Chief Constructors at the several Yards. The Chief Constructor at Portsmouth received £850 for supervision over an annual expenditure of £326,191 on wages, and probably an equal amount on stores. The Chief Constructor at Pembroke had £700 a-year for supervision over a body of men whose aggregate wages amounted to £97,000. In connection with this subject, he would call attention to the strong representations which had been made by Admirals Hall, Chamberlain, Fellowes, and Sir Cooper Key, to the Committee on Stores as to the great importance of constant personal supervision of the work in progress on the parts of the Chief Constructors in the several Dockyards. The success attained in Pembroke Dockyard in building ships within the estimates had been exemplified in several remarkable cases which were quoted by Admiral Hall. These results he attributed to the great care which the professional officers at Pembroke were able to bestow on their work, from having time enough at their disposal to give the requisite attention to the details of construction. Admiral Fellowes made a strong representation on the same subject. He said it was imperative that the constructive duties of the Yard should receive more attention. There were at Chatham 3,800 men at work—men who were working night and day—and there was only one Chief Constructor and one constructor; whereas, under the old system, the work would have received the supervision of a Chief Constructor, two Constructors, and other officers; and this, at a time when a smaller number of men were employed and the Dockyard covered only 90 acres, instead of, as at present, 500 acres. According to the present practice, the officers of the Yards had but a small share in the preparation of the estimates. He would propose that whenever it was contemplated to build a ship in a particular Dockyard the Chief Constructor should be called upon to prepare an estimate of the cost. That estimate should be revised, and when an agreement had been finally established between the Admiralty and their local officer as to the amount, the figures should be bracketed in the Navy Estimates with the name of the responsible Dockyard officer. A spirit of emulation would thus be encouraged between the different Yards, while bad workmanship might be prevented by the frequent supervision of an Admiralty Surveyor. The organization of the French Constructive Department had been referred to by the hon. Member for Nottingham in his speech of last Session on our shipbuilding policy. It was equally worthy of examination in connection with the points to which he now called attention. The French professional officers held a higher relative rank than we had accorded to our Constructors. The *Ingénieurs de la Marine* were selected from the *Ecole Polytechnique*, and their promotion was secured by an appropriate gradation of ranks, corresponding with those established in the executive branch of the Navy. The staff included an Inspector General, who ranked with, but after, a Vice Admiral. He resided in Paris and made periodical visits to the ports. Under him were 11 directors of naval construction, all ranking immediately after a Rear Admiral in the French Navy, but before a captain. At the ports the Constructive Department was represented by an Inspector-in-Chief of the Naval Administrative Services, who was charged, in the name of the Minister of Marine, with the supervision of all the professional work in the Dockyards. The Inspector was subordinate in rank to the Préfet Maritime, who was a Vice Admiral; but in the discharge of his duties he acted under the orders received from the Minister of Marine and corresponded directly with him. The constructive staff for the English Navy should be selected from the Academy at Woolwich. They would receive their special training at Greenwich and at the Dockyards. They should have an honorary relative rank, like that which was given to the Corps of Naval Architects in the French Navy, and be entitled to the privilege of wearing a civil uniform. The criticisms of foreigners were often most suggestive. M. Xavier Raymond, formerly a frequent contributor on naval subjects to the pages of the *Revue des deux Mondes*, made the following remarks in his volume entitled *Les Marines de la France et de l'Angleterre*:—

> "By an anomaly most remarkable, the administration of the Navy is conducted by a Board, and that Board is selected almost exclusively from one only of the numerous specialities which must be combined in order to constitute a naval establishment. Of the six individuals who form the Board two are Members of Parliament and do not belong to the Navy. The four others are naval officers. The administrative branches, works, and buildings, naval construction, gunnery, health, are all rigorously excluded."

As for the Constructors in the ports, if their salaries were not inadequate, they occupied a position of inferiority in relation to the executive branches, unworthy of the talent and services of several of their number. The result was that certain individuals, and those, perhaps, the most distinguished, had left the Service. The name of the hon. Member for Pembroke (Mr. E. J. Reed) was quoted as a prominent example. He would venture to urge that the Constructors of the Navy should be constituted as a distinct corps, like the *Ingénieurs de la Marine* in France, and that we ought to have one or more Naval Architects in every Dockyard capable of preparing competitive designs for new ships. In the French Service, the work of the central office was limited to the specification of the qualities and the general features of the new ships which it was proposed to build. The programme having been prepared at headquarters, the Dockyards were invited to furnish competitive designs, and the most successful was selected. That plan insured a wide development of ideas, and prevented the shipbuilding of the Navy falling into a groove under the direction of a single mind. Turning from the Dockyards to the Council of Construction, he found that the highest shipbuilding officer in the Navy had a salary of £1,200 a-year. The responsibility for the design and construction of new ships, and for supplying those ships with proper machinery, rested exclusively with the civil members of the staff of the Controller of the Navy. The Controllers themselves had on all occasions most fully acknowledged their dependence on the aid of professional men. He put it to the House to consider whether the present salary of £1,200 should or should not be regarded as a maximum, and whether it might not be expedient to hold out to the Chief Constructor of the Navy some further prospect of honorary or pecuniary advancement. Was the hon. Member for Pembroke (Mr. E. J. Reed) altogether wrong when he said, in his evidence before the Duke of Devonshire's Committee on Scientific Instruction, that it seemed to him to be quite out of the question that the Chief Constructor of the Navy—a man who had been admitted in Parliament by the First Lord of the Admiralty to have been capable of saving or losing £1,000,000 in a short period—should be receiving a salary of £900 a-year, as he was when he first entered the Admiralty, or £1,500 a-year, as he was when he left. It was well known that managers of private establishments were receiving very much greater incomes. The Engineer-in-Chief of the Navy held an office second only in importance to that of the Director of Naval Construction. He was the adviser of the Controller and of the Admiralty generally on all that related to the steam branch of the Service. He held a highly responsible position in relation to contracts for the supply of machinery. The Estimates for the present year provided for the purchase of machinery at a cost of £396,000. It was not enough that the Chief Engineer of the Navy should possess a competent technical knowledge. He must be capable of defending his opinions before the Board of Admiralty and the Council of Construction. Was it quite consistent to give £1,000 a-year to the Chief Engineer of the Navy, while the Directors of Transport and of Works, who were executive officers, and were rewarded with the Order of the Bath and the other distinctions awarded to the executive line, were respectively receiving £1,550 and £1,300 a-year? By a Return of all civilians employed by the Crown, which was moved for by his right hon. Friend below him (Mr. Childers), and which had recently been presented to Parliament, it appeared that 1,040 persons were employed in the Civil, Judicial, and Revenue Departments, at a total annual charge of £1,437,000 a-year, giving an average salary of £1,400 a-year. In that long list of 1,040 favoured officials no civil officer employed under the Admiralty had been fortunate enough to be included. That exclusion was hardly consistent when they came to consider that the greatest Navy in the world was built, equipped, and repaired under their supervision. He had no desire to see changes suddenly introduced, without regard to the individual merits of the officers employed. He fully appreciated the difficulties of the political heads of the Admiralty in the matter. They might be excused if they hesitated to give a very rapid advancement to officers of whose capacity they could have but scanty personal knowledge. They would all agree, however, that talent could only be attracted to the Public Service, and retained in it, by offering positions worthy of acceptance. The Admiralty might begin, as opportunity offered, by improving the position of heads of Departments at Whitehall. He did not intend to bring this question forward time after time; but, having stated the case, he would leave it with confidence to the experienced judgment and mature consideration of the First Lord of the Admiralty and his Colleagues, knowing that the right hon.

Gentleman was anxious to do all in his power to promote the efficiency of the Naval Service.

PENSIONS TO WIDOWS AND ORPHANS OF SEAMEN AND MARINES.

OBSERVATIONS.

CAPTAIN PRICE, in rising to call attention to the importance of making sufficient provision for the widows and orphans of Seamen of Her Majesty's Navy and Royal Marines, said, the subject had been before the House for a considerable time; and he, therefore, would not trouble them with many remarks. His object that evening was to get from Her Majesty's Government some statement as to what they were now prepared to do in the matter. He did not ask for any definite promise; but he hoped to receive an assurance that they were prepared to give assistance to the men in making provision for their wives and children. According to careful calculations which had been made by an actuary, it would require a stoppage from a man's pay of 10*s.* a-month in order to provide a pension of £20 a-year for his widow. It was out of the question that a seaman could give such a sum; and it was, therefore, proposed that each man should give 5*s.* a-month, and that the other 5*s.* should be provided by the Government. If the seamen could only give 3*s.* a-month, the Government should only give a similar amount. The scheme had been reduced to very simple limits. It was proposed that the insurance should be effected in the same way that all assurances were effected—namely, by a man giving a certain sum to secure a certain pension. Having settled what the total cost would be of providing a Pension Fund according to the Returns which had been presented, the question naturally arose how it could be kept within proper limits. One of the modes in which that could be done was for the Government to impose a limit of age. They should not be called on to pay a pension to the widow of any man who chose to marry under 25. That would reduce the amount required, and keep it within certain limits. The total number of married men in the Service was about 15,000; but of these about 1,500 were under 25 years of age. The adoption, therefore, of that rule would limit the number of pensions to widows to a corresponding amount. The number might also be limited by requiring a certain amount of extra service. He had taken the opinion of many petty officers and others who were interested in this question, and he understood that some would be quite prepared to give as much as five years' extra service, which would be a sufficient *quid pro quo* for such a grant. There would be a great advantage to the Service in this, that such a scheme would operate as a check upon desertion. He did not think the cost of desertion could be less than £300,000 a-year, and a large sum would, therefore, be saved to the country by the proposed scheme. In the Navies of France and Germany the principle he advocated was carried out. In the German Service the widow of a petty officer received £12 12*s.*, and he was not sure whether any pension was given to the children. The widows of able and ordinary seamen got pensions of £9 a-year, with £6 6*s.* for every child up to the age of 16. This made a very considerable pension. No doubt, it might be said our men received higher pay; but the difference of pay did not enable our seamen and marines to provide for their widows and orphans. If France and Germany could give pensions to the widows of their seamen and marines, surely a great country like this could do something in the same direction. The principle which he advocated had been already adopted in the case of the Coastguards. It might, he knew, be said that whenever a great disaster occurred in the Navy the public came forward and subscribed liberally for the widows and orphans of the sufferers. That was true; but they should not forget that every year men suffered violent deaths in the Service, of which the public knew nothing. The year 1874 was a year of peace, and one in which no great disaster occurred, yet the deaths from drowning in the Service were 79; from falling from aloft, 35; from accidental wounds, 9; and from various causes other than natural, 8. In fact, every two years and a-half it might be said that an *Eurydice* was lost—that was to say, about the same number of deaths by violence occurred in the Navy as occurred through the loss of the *Eurydice*; and he might add that the feeling in the Service was opposed to appeals being made to the charitable feelings of the public. It was thought that a great deal of blame rested on Parliament for not adopting some such suggestion as he now made for the relief of these constantly recurring cases of great distress. One of the sources from which the pensions to widows and orphans might be derived was the savings on rations to the men in the Service which were not taken up. Some years since a Committee sat to consider the subject, and they reported that the saving to the Government under the head of provisions amounted to something like £70,000 a-year. He trusted that they would hear something definite and satisfactory from Her Majesty's Government with respect to the question, pressing and important as it was, which he had ventured to bring under the notice of the House. He did not expect them to commit themselves to any plan; but he trusted they would promise to appoint a Committee to inquire into the subject.

MR. D. JENKINS said, if there was any blot in the Naval Service it was want of practical experience, and it was nonsense to suppose that experience could be gained by mere theoretical or scientific training. With regard to the accidents to the *Megæra* and the *Thunderer*, they were due to the imperfection of the system adopted, and not to want of skill on the part of officers holding positions of trust in the Dockyards. He, for one, did not object to high situations of trust being held by men who had been promoted gradually from the position of apprentices, and that view was supported by the fact that men who had reflected the greatest lustre on the Royal Navy included those who had risen from the ranks. With respect to salaries, if the Admiralty had not already got the best men in the country, he would say by all means let them engage their services, and not shrink from doing so for the mere sake of saving a few hundreds a-year.

MR. E. J. REED said, great credit was due to the hon. Member for Hastings (Mr. Brassey) for the remarks he had addressed to the House, notwithstanding the invidiousness of having to suggest an increase of expenditure on the Government of the day. The people on whose behalf his hon. Friend had spoken had very few advocates or friends. The right hon. Gentleman the Member for Pontefract (Mr. Childers) had once, rightly or wrongly, stated in a public document that he (Mr. E. J. Reed) had saved the country £100,000 on every ship which was built under his direction, and yet he had never received a single sixpence of reward in the shape of pension or otherwise; and yet, when one took up a list of pensions relating to the Navy, he found pensions of various kinds, and distributed to such a large extent, that he thought the Admiralty must be at a loss sometimes to know where to bestow these large sums. It did not lie in the mouth of the Government to say they had no funds—that they must set their face against any considerable increase in the salaries of those who had rendered good services—while they had such large pensions at their disposal to distribute unnecessarily to other classes of officers. His hon. Friend said it was true that the civil officers of the Admiralty received decorations and orders, and other things of the kind, in exchange for their services. He received a decoration to remain in the Service when on the point of leaving, and he believed a decoration was conferred on another gentleman; but he was at a loss to recollect any other instance, and he could not understand what had happened to the country; why it should go on under a system which showered decorations and orders upon one branch—namely, the militant branch—not for war services or great distinctions—while nothing of the kind was bestowed on men who laboured perpetually and successfully in other branches. He thought the day would come when this question of the distribution of decorations and orders would have to be considered by the country. He was satisfied that from the Naval Service would be drawn examples of the unfair distribution of these honours. We lived in an age in which mechanism played a more important part than in days gone by, and we were approaching a time when the merits of mechanical men would be more recognized than at present. In the same way, a great effort was made by the former Administration to combine the shipbuilding and engineering branches under one authority. He had never advocated putting the engineers under the shipbuilders, any more than the shipbuilders under the engineers; but his experience at the Admiralty showed that the Public Service sustained great disadvantages from having two authorities in connection with shipbuilding and engineering. He hoped the present Government had not taken any steps to weaken what had been done by the former Government in that respect. Although he represented Pembroke, a small Yard, he had no hesitation in joining his hon. Friend in trying to improve the position of the Chief Constructors in the large Yards. The Government had elevated the position of Chatham, and of the officers with it, and had shown a desire to improve both their status and pay. The Government ought to remember that the course of events had forced mechanism and mechanics into more and more importance in the Naval Service; and, therefore, they ought to deal with those who were concerned with that branch of the business in a larger and broader spirit than they had done hitherto. The officers of the Admiralty and the Dockyards generally received pensions. He was one of those who did not. He was very proud of the fact that he had been privileged for seven years to serve the public without a pension of any kind. He quite agreed with those who held that it was a great distinction for a man to be able to serve his country in a position of responsibility, like that of the principal officers of the Admiralty and the Dockyards. It was hardly possible to exaggerate the weight of the responsibility that rested on them, and no one would more readily bear witness to the manner in which it was sustained than, on the one hand, the political chiefs, and, on the other, the Naval officers who came into contact with them. He believed all his hon. Friend desired could be done without in any way injuring the status of any naval officer. It might be said that one of the consequences of putting technical officers of Her Majesty's Dockyards into positions of greater responsibility would be to throw those positions open to competition. He was satisfied that to throw them open to competition could not be done with advantage to the Public Service. When he retired from Office he believed his right hon. Friend (Mr. Childers) did cast about for some outside person to be put in his place. He had heard that his right hon. Friend had fixed his mind on a gentleman in a private dockyard. But there was a difficulty in carrying out that idea, and the area of choice was very limited indeed. The officers of the Dockyards were not open to the suspicion of being theoretical rather than practical men. He did not believe there was a more practical body of men in the country than the technical officers of the Admiralty and the Royal Dockyards. Nearly every man among them had begun his profession with apprenticeship, and had acquainted himself with the use of tools, and nearly every one had risen from a humble position to the position he now occupied. What happened when a private yard wanted a manager? They came to the Royal Dockyards, and the men they got were those who had not been successful in the competition of the Public Service. The inference he drew was that the men in the Royal Dockyards were of the highest skill, both theoretically and practically, that could be found at present in the whole world. A word as to one or two practical suggestions of his hon. Friend. At present, the Admiralty systematically sent the Office estimates of the cost of new ships to the Dockyards, and there they were overhauled, revised, and reported on by the local officers. But there would be great disadvantage in attaching the name of the local Chief Constructor to the estimate of the cost of a ship. If the Admiralty were, in this matter of the estimates, to screen themselves behind the local officers, Members of that House would be in a worse position in criticizing them than they now were. Those who thought otherwise ought to be excused, on account of the variations which the Navy Estimates presented as to the cost of ships. He did not see that the slightest fault could be found with the Admiralty for modifying, from time to time, the estimated cost of their ships, for this reason, that a large ship took a considerable time in constructing, and in these days, as the art of naval construction underwent much modification, it was one of the most important duties of the Admiralty to improve their ships as the building of them went on. The only thing they were not justified in doing was in delaying ships. The best thing to do was to complete a ship that might be in progress according to the best information they had at the time. The present Board of Admiralty had given many indications of a desire to meet the actual circumstances of the case, and to improve the position of technical officers. They ought to continue to bear in mind that the demand was for large changes in every Department of the Service, and if, out of the total Navy Estimates, they attempted to do full justice to those officers, he believed they might give them what was right without doing any injustice to anyone.

MR. BENTINCK desired to make a few remarks of a general character. He had always regretted the apparent indifference of the House of Commons to everything connected with the welfare of the British Navy. He could not congratulate the Government either on their Navy Estimates or on the manner in which they had been introduced. He believed this was the first time on record when the Navy Estimates had come on for the first time for discussion as the Second Order of the Day.

MR. W. H. SMITH remarked, that on the first night they were brought forward they were the First Order of the Day.

MR. BENTINCK said, that might be so; but they were not discussed. This was the first time they had come up for discussion. It might appear odd that in discussing the Navy Estimates he should refer to the condition of the Army. This country had two arms for the purposes of defence and aggression, and if one of those arms was in bad condition, the fact made it all the more incumbent upon us to look to the state of the other. He contended, without fear of disproof, that the Army of this country was a myth. It had ceased to exist, and the proof was that when we had to contend with a few savages in South Africa the whole British force was not equal to the undertaking, and we were compelled to supplement our Army by a corps of Marines. Our Army had been destroyed by the late Government, and the present Government had not had the courage to restore it. And what was the condition of the Navy? It was not equal, at the present moment, to the requirements of the country. We had not iron-clads enough for the duty of the country in time of peace. An incontestable proof of this was that the Admiralty had been obliged to send the *Shah* as flag ship to the Pacific, confessedly because they had no iron-clad available for service. Moreover, he maintained that we did not possess a sufficient number of ships to protect our own commerce in time of war, or to prey upon the commerce of our enemy. As a matter of sound policy, we ought to have such a number of ships that, in the event of war with a great maritime Power, we could at once sweep the sea of her property, and defend our own. Under what were called the blessings of Free Trade, this country had not more than two or three months' supply of food in hand. This was a question of life and death to this country, as our supply of food was wholly dependent upon our having command of the sea. We had not a sufficient number of frigates and corvettes, and very few of those we possessed could be handled under canvas. This result was caused by our having too much of the scientific element, and too little of the seaman element in the construction of our ships. We were building nothing but floating batteries, which would not do anything except under steam. Quite understanding the difficulty which the First Lord of the Admiralty must feel when going to his Colleagues in Council, and asking them to supply more money for the wants of his Department—understanding that the right hon. Gentleman must feel the same difficulty in coming to the House of Commons, and asking for larger supplies for the Navy—his belief was that the present or any other Government would stand much higher in the opinion of the country if they came frankly forward at once and said—what they knew to be true—that the present condition of the Navy was not what it ought to be, and that more money was required to make it efficient.

MR. E. HUBBARD, in supporting the Motion, urged the importance of suitable provision being made in the form of pensions for the widows and orphans of the seamen of Her Majesty's Navy and the Royal Marines. He found that out of 53,500 men upon the books of the Navy, rather more than one-third were married, and it was calculated about £100,000 a-year would be required to provide a fund for the insurance of the widows of those men. He did not urge the First Lord of the Admiralty to give any definite promise, but merely to assent to the Motion which had been brought forward, or to grant a Committee, which might, without any unnecessary delay, obtain all requisite information connected with that subject.

Mr. W. H. SMITH said, he could not complain of the manner in which the discussion or conversation that had now gone on for two or three hours had been introduced by his hon. Friend the Member for Hastings (Mr. T. Brassey), who had called attention to the claims of that most valuable body of men, of whom it was impossible for anyone occupying his position to speak too highly. The Admiralty desired now to express their confidence in, and their obligations to, the officers who were called the constructors, and whose abilities had been of the greatest possible value to this country in developing a powerful Navy, which was certainly equal, and, he believed, superior, to any Navy which existed on the face of the earth. That, he ventured to assert, notwithstanding what had just fallen from the hon. Member for West Norfolk (Mr. Bentinck). His hon. Friend the Member for Hastings had stated the case of those officers with his usual moderation and discretion, and he had wound up by saying that he did not desire to ask from the Government or from the House any particular remedy to be applied at the present moment; but that his object was to bring before the House the claims of a body of scientific gentlemen, whose services were of great value to the country, to fair consideration whenever it was possible that that consideration could be given. He was perfectly ready to accept the suggestions of his hon. Friend in the sense and with the feeling with which they had been put forward. He could not undertake to make specific improvements in regard either to position or salary, or in any of the various modes which had been hinted at by his hon. Friend. But he wished to repeat, what he had often said in the Board-room of the Admiralty, that they owed great acknowledgments, not only to the gentlemen at Whitehall who assisted them in designing their ships of war, and who assisted them with their advice on the questions from time to time submitted to them, but also owed a great debt of gratitude to the scientific staff of the Dockyards, who certainly had performed their work with very great zeal and very great success; and, notwithstanding the absence of some of those inducements to which the hon. Member referred—inducements which could be offered by private establishments, but which could not, in the nature of things, be offered, at any rate so completely, by Public Departments. They had certainly discharged their very difficult duties with very great advantage to the Public Service. The hon. Member had spoken of the constructors and the constructing staff of the Navy as not being always rewarded for the economy they might effect, or the improvements they might make, in the management of the Dockyards, or in the conduct of the business particularly under their charge. Well, it would be an exceedingly difficult thing to lay down any system by which a distinct appreciation of good service might be always accorded in the manner in which he admitted it was possible for the independent head of a great mercantile establishment to reward an efficient manager or head of a department. The hon. Member for Pembroke (Mr. E. J. Reed) had alluded to the results of his exertions in the construction of ships, and to the fact that no money reward, or other reward, was given to him in acknowledgment of those services. The hon. Gentleman had, at least, the satisfaction of knowing that they were very highly appreciated; and it might be said that the position he occupied in the House and the country was due, in some degree, to the position he had previously held in the Admiralty, and to the fame his abilities had acquired for him in the Public Service. But he was bound to say that if he could see a way that was entirely free from bias, and from all those difficulties which surrounded the giving of rewards for good work in the administration of Public Departments, he would be extremely glad to adopt it. His hon. Friend the Member for Hastings (Mr. T. Brassey) had referred to the fact that, at the present moment, certain positions in the Constructor's Department in the Dockyards and at the Admiralty were unattainable by the sons of gentlemen. Perhaps, in one sense it might be called an exclusive Service; but, whatever might be said from that point of view, the mechanical and scientific abilities of the gentlemen who were now occupied in constructing ships and in superintending the construction of ships for Her Majesty's Service were, at least, equal to those of any body of men filling the same positions in any other part of the world. He did not compare them invidiously with the officers of other countries; but if their position was not the same, and if they did not spring from the same class as the constructive Service of other countries did, the results, at least, were as satisfactory as they could desire them to be. It was, as the hon. Member for Pembroke stated, essentially a practical Service. The constructors were selected, first of all, from the apprentices in the Dockyards. These apprentices were admitted on open competition, and the best, after a further competition, were sent to Greenwich, where they received a careful and complete training, after which they came back to the Dockyards. The result of this system was highly satisfactory in producing highly-trained men with a practical knowledge of their profession. At that time in the evening he was sure the House would forgive him if he spoke briefly; but he was anxious to record their high sense of the value of these gentlemen. The hon. Member for Pembroke had referred to the fact that, in the Dockyard establishments, the work of concentration set on foot by his right hon. Friend the Member for Pontefract (Mr. Childers) had, to some extent, been undone. The fact was, experience had shown that this concentration had been carried rather too far. The Chief Constructor was found to have more work and responsibility thrown upon him than he could efficiently perform, and he himself welcomed the change. The Chief Constructor retained his superior position, and the storekeeper was, in all essential points, subordinate to him. At Devonport, the change had not been made, it was left to compare with the working of the new system after sufficient experience at the other yards, the system was found to work better there than at Portsmouth. Reference had also been made to the mode in which the estimates for ships were dealt with. He agreed that it would be unfair to the Chief Constructor, who might not be responsible for any changes made in a ship during her construction, that his name should be bracketed with the estimate during its whole course from first to last. The system adopted was this. The estimates for the new ship were, first of all, made at Whitehall, and then sent to the dockyard at which the ship was to be constructed. There they were most carefully overhauled and reported upon, after which they were sent back to Whitehall, where they were again considered. In this way, two sets of minds were brought to bear upon them. In the case of estimates for repairs, the process was reversed. This system was found to work most advantageously. As to the care that was exercised in the Dockyards, he doubted whether, in any private yard, the work was done so efficiently as in Her Majesty's Dockyards. The officers all felt the great responsibility of their position, and knew that they would be seriously called to account were they to overlook any circumstance or condition necessary to efficiency or to safety. The consequence was that the work was most thoroughly done. In fact, it was done, if anything, he might say, a little too thoroughly. Our ships were so built that they would last a very long time, and he believed they had a very satisfactory result for their expenditure. The hon. Member for Hastings had referred to a number of Reports made during the last 50 years. He must confess that he had not himself been able to go through these Reports; but he was obliged to the hon. Member for his industry, and he would give them most careful attention. His hon. Friend had compared the French Service with our own. He admitted that the position of the officers in the French Service was, in some respects, superior. Their rank, and the distinction with which they were treated were greater; but he believed their salaries were not so good. Rank was, in the French Service, often taken in lieu of salary; but he was not sure that our officers would welcome a change upon this principle. He might refer the hon. Member to a Report drawn up by M. Gambetta, and presented to the French Chambers this year upon the Naval Service, in which it would be found that, in the opinion of the French Budget Committee, our Naval administration compared favourably with their own. His hon. and gallant Friend the Member for Devonport (Captain Price) had asked for some assurance from the Government as to provision, in the shape of pensions, being made for the widows and orphans of seamen. He must, in the first place, point out that the Estimates to which he had drawn attention had only come to his hands a very few days ago. He must also draw attention to the fact that, in the Notice which appeared upon the Paper, his hon. and gallant Friend spoke of a provision for orphans as well as widows, whereas in his speech he had omitted all reference to orphans. The introduction of the orphans would make a great difference in the calculations. He would, therefore, have to speak with great caution. When the subject was first introduced, some years ago, it was proposed that seamen should contribute 6*d.* a-month, the remainder being supplied by Parliament. Subsequently, it was proposed that this 6*d.* should be raised to 1*s.* 8*d.* a-month. The present proposal that the seamen should contribute as much as 5*s.* a-month was one on which he should hesitate to express an opinion before he knew how far the men would be content to submit to such a large deduction from their wages. His hon. and gallant Friend proposed that these allowances should not be granted to any men who married below a certain age. But this itself would give rise to difficulty; for it had been pointed out to him that the greatest danger to such a fund would arise from men marrying above a certain age. If the system of pensions to widows of seamen were carried too far, it would serve as an incentive to young women to marry very old men, in order that they might get their pensions the sooner, while they themselves would live a long time. All he could promise was that he would take the matter into further consideration, and would endeavour to ascertain what was the real feeling of the men on the subject of forming a provision for their wives in case of their own deaths; and he should be glad to accept any suggestion in reference to the matter which did not throw too heavy a burden upon the country. The hon. and gallant Member had said that, by making some adequate provision for the widows of sailors, desertion from the Navy would be checked. He was afraid that men who were content to abandon their own long service pensions would not be much influenced by the fear of forfeiting the pensions of their wives. He fully admitted the painful position in which a sailor's widow was placed by her husband being cut off in early life by some accident, and he could assure the hon. and gallant Member that the subject of pensions to the widows should have the careful consideration of the Government. It must not be forgotten, however, that these men were themselves entitled to pensions at the early age of 38, which formed a very heavy item in the Estimates of the year. The hon. Member for West Norfolk had asked for information as to the present condition of the Royal Navy. If he understood the hon. Member rightly, he was of opinion that this country should possess a Navy sufficiently powerful to cope with any emergencies to which we might be exposed. He himself was quite prepared to assent to that proposition, and, in his view, our Navy was quite sufficient for that purpose. We had a Mediterranean Fleet in good order; we had a Channel Squadron which was not in bad order; we had eight iron-clad ships in commission attached to the Coastguard equal to any others of a similar type which were to be found in foreign Navies; we had in the first-class Steam Reserve four sea-going iron-clads equal to those of any foreign Navy, ready to go to sea; we had nine more which would be complete in the course of the year, and most of which might, if necessary, be ready in the course of two or three months. At the present moment we had 26 iron-clads in commission; we had four sea-going iron-clads ready for sea in reserve, including the *Dreadnought*, and, in addition, three coast defence ships; and we had nine others which would be ready in the course of the year, including the powerful ships *Sultan*, *Superb*, *Neptune*, and *Devastation*. These figures ought, he thought, to be satisfactory to the House. We had 42 iron-clads, either in commission or ready to put to sea in a short time, and these constituted a force adequate to any emergency which was likely to arise. If he felt it necessary to come down to the House for further Supplies, in order to increase the offensive or defensive force of the country, he should not hesitate to do so; but he did not think it desirable to ask for increased Votes for building ships which might become obsolete in a few years, and especially at a time when, he believed, our Navy was thoroughly adequate to any service which it might be called upon to perform, and thoroughly able to cope with any Power which might be brought against it. With these few remarks, he hoped the House would now go into Committee on the Estimates.

THE COASTGUARDS.

OBSERVATIONS.

CAPTAIN PIM said, he did not see any credit given for the deduction of 1*s.* a day made from the wages of the Coastguard during the time they were ordered to serve afloat.

MR. A. F. EGERTON said, the amount was deducted in the total charged, and he did not see that any advantage would be gained by dividing the item in that part of the Votes.

CAPTAIN PIM considered it a hard case that these men who were the best afloat, should be deprived of 1*s.* a-day. The item would be a considerable one, seeing that the number of men mentioned in the Vote was 4,150.

MR. A. F. EGERTON had never known of any complaint being made on account of this deduction from the wages of the Coastguard men, by whom it was thoroughly understood.

CAPTAIN PIM was not impugning the justice of the Admiralty in making the deduction in question. He merely wished to draw attention to the fact that the amount of the stoppage was not mentioned in the Votes.

MR. W. H. SMITH said, the Coastguard men had always been liable for this stoppage from their pay, and the Estimates, as the hon. Member for Gravesend must know, were upon precisely the same footing as formerly.

CAPTAIN PIM thought that the Estimates were framed in such a manner as rendered them very difficult to be understood, and that the sooner they were altered the better.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

ORDERS OF THE DAY.

SUPPLY—NAVY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £1,003,375, Victuals and Clothing for Seaman and Marines.

CAPTAIN PIM asked for information with regard to the item of £1,396 charged as dresses for Marines doing duty as officers' servants. Was this amount in addition to the ordinary clothing of the Marines?

MR. A. F. EGERTON replied, that it was a provision for the Service, and was, of course, so far, for the Marine branch.

Vote *agreed to.*

(2.) Motion made, and Question proposed,

> "That a sum, not exceeding £185,400, be granted to Her Majesty, to defray the Expenses of the Admiralty Office, which will come in course of payment during the year ending on the 31st day of March 1880."

MR. BIGGAR said, he should have to move the reduction of this Vote, with the object of calling attention to the claims of Mr. John Clare for compensation to which he believed himself to be entitled for improvements in the construction of ships of war. Without going at any length into the case, he would merely state that Mr. John Clare had devoted a great deal of time, and taken a great deal of trouble in this matter some years ago. The Admiralty of the day had made use of his plans and specifications, and when he had asked for payment he had been put off from time to time. Ultimately, he was advised to appeal to a Court of Law, and, having done so, the proceedings resulted in a verdict against him. This was due to the evidence given at the trial by Mr. Scott Russell and Sir Charles Fox. A new trial was applied for and refused on the ground that these gentlemen were persons of great eminence in their profession, and that their evidence could be relied upon. The Law Officers of the Crown had been referred to, and they had said that upon the legal view of the case Mr. Clare could not recover. But, upon the grounds of justice and fair play, he (Mr. Biggar) certainly thought that the case of Mr. Clare might fairly be made the subject of further inquiry at the hands of a Committee. The fact of Mr. Clare having appealed to a Court of Law and been beaten, was not, in his opinion, sufficient reason for refusing an independent inquiry into the merits of this case, and he, therefore, trusted that the Government would appoint a Committee to consider it. Various Members of the House had, from time to time, been canvassed by Mr. Clare, with the result that his case, which had given a good deal of trouble, had been brought forward in the House. He had not, of course, been able to verify all the statements made by Mr. John Clare; but it was the opinion of a good many hon. Members that he had, upon its merits, an honest case. For that reason, he thought the Government should agree to the appointment of a Committee. If that Committee should decide in favour of Mr. Clare, the Government would, no doubt, do what was reasonable and fair; on the other hand, if the decision went against him, the House would have obtained the expression of independent opinion upon the merits of the case, which would then be ended once for all. He moved the reduction of the Vote by the sum of £100 under sub-head A.

Motion made, and Question proposed,

"That a sum, not exceeding £184,200, be granted to Her Majesty, to defray the Expenses of the Admiralty Office, which will come in course of payment during the year ending on the 31st day of March 1880."—(*Mr. Biggar.*)

CAPTAIN PRICE said, that one reason against the suggestion of the hon. Member for Cavan (Mr. Biggar) was that Mr. John Clare had appealed to the public at large, by means of an advertisement in the second column of *The Times*, headed, "John Clare National Testimonial," for subscriptions in recognition of his services to the State. No doubt, by this means he had realized a large fortune, and he (Captain Price) thought that the House would not now re-open the question.

MR. E. J. REED believed that Mr. John Clare had an honest conviction that he had done something for the benefit of the Public Service, and was quite sure that this belief was, in some degree, shared by every hon. Member who had the slightest interest in the case. But he wished to point out to the hon. Member for Cavan (Mr. Biggar) that, in his opinion, the House, before taking up this cause, which had been heard both in official Departments and in a Court of Law, should have presented to it some evidence that there had been a miscarriage of justice. For a long time previous to his going to the Admiralty he had given Mr. Clare a considerable number of interviews upon the subject of his claim, and he was bound to state that, at that time, when he was entirely free from any prejudice against it, he was never able to discover that it rested upon any solid ground. If he believed that Mr. John Clare had, in the smallest degree, contributed to the improvement of Naval architecture, he would be ready to back up the hon. Member for Cavan in his proposal for a Committee, because, in his opinion, the facts that a verdict had been given against him, and that time had elapsed, were not sufficient reasons for the refusal of justice if it could be made clear that there were any solid grounds to go upon. He would be willing, in that case, that a Committee should be appointed, were it only for the satisfaction of a man so assiduous as Mr. Clare. But it was too serious a matter that the House should appoint a Committee of its Members to inquire into a plea merely because that plea had been systematically asserted and re-asserted. As a suggestion to the hon. Member for Cavan, he would willingly meet the hon. Member and Mr. Clare, who had an honest belief in the justice of his claim, to hear what he had to say; and, in the event of anything being produced that would justify a change of opinion on his part, Mr. Clare and his hon. Friend should have the benefit of it; though, as he had said, from the intimate knowledge of the case which he possessed, he felt that Mr. Clare was without claim.

MR. BIGGAR did not think that the observations of the hon. Member for Pembroke (Mr. E. J. Reed) had affected anything he had said in regard to the case. The verdict against Mr. Clare in a Court of Law was given upon the evidence of Mr. Scott Russell and Sir Charles Fox. Both those gentlemen specifically averred that Mr. Clare's plan was not a novelty. Since that period Mr. Clare had been able to show that both those gentlemen were mistaken. If the argument, therefore, of the hon. Member for Pembroke were based upon that ground he thought that it failed, and that Mr. Clare was not entitled to an inquiry. The Committee had only heard an *ex parte* statement of the case, and had not had an opportunity of judging of its merits. He was thoroughly convinced in his own mind that Mr. Clare was entitled to the inquiry.

CAPTAIN PIM said, that he felt very strongly for Mr. Clare, and considered that he had a very good case; he therefore hoped that his right hon. Friend the

First Lord of the Admiralty would be able to give some encouragement to the hon. Member for Cavan to believe that what he had asked for would be granted. He would point out to the hon. Member for Pembroke that Mr. Clare claimed to be the original inventor of the wing passage bulkhead. If he were the originator of that bulkhead he thought that some consideration should be shown him. It would do no harm whatever if the question were re-opened by the right hon. Gentleman the First Lord of the Admiralty by appointing one or two gentlemen to decide upon its merits. If the hon. Member for Cavan went to a division upon the question he should certainly vote with him.

MR. SAMUDA hoped that the hon. Member for Cavan would not go to a division. He was sure that he had not been fully informed as to what took place at the trial when Mr. Clare brought forward his claim against the Admiralty. Whatever Mr. Scott Russell, and the other gentleman who gave evidence, might have said, he could state most distinctly that at that trial there was no claim on the part of Mr. Clare to have been the originator of what was alleged by his hon. Friend the Member for Cavan to be his invention. The claim put forward by Mr. Clare was for having been the first to build a vessel in a particular form with regard to cellular compartments. The description which he gave of his invention was, in all respects, absolutely and entirely the same as that which had been used in the *Great Western* many years before, and with which vessel Mr. Clare had had nothing to do. It was not solely upon the evidence of Mr. Scott Russell that the verdict was given, for he (Mr. Samuda) was one of the witnesses whom the Admiralty called to give evidence with respect to the matter. He called attention to the fact that Mr. Clare had called upon him and endeavoured to explain his invention, and that he then showed him that two or three years before the date of his invention the design in question had been used upon the *Thunderer*. He showed Mr. Clare his drawings in order to convince him that the plan had been invented long before he brought it out. He had no wish to prevent Mr. Clare obtaining the fullest advantage he could; but he felt called upon to say as much as he had in order that it might not go forth to the world that the Admiralty had done anything in a high handed manner against Mr. Clare; but when he was asked to give evidence with regard to the matter in question he felt it his duty to do so.

MR. A. F. EGERTON said, the hon. Member for Cavan must anticipate the only reply which the Government could give to his Motion. He would again repeat what he had said on a previous occasion when the matter was brought forward, that the Admiralty could not grant the inquiry asked for. The case of Mr. Clare had been tried in two Courts of Law—it had been tried by the officers of the Admiralty, and it had been referred to the Law Officers of the Crown. On every occasion it had been decided against Mr. Clare, and he could see no ground for re-opening the matter then. He thought he was speaking the sentiment of his right hon. Friend the First Lord of the Admiralty when he stated that they must decline to grant a Committee upon the case.

MR. PARNELL had always thought that it would be much more satisfactory if the Admiralty would grant a reference to a gentleman in the matter of the claims of Mr. Clare. He did not think that the testimony of the hon. Member for the Tower Hamlets (Mr. Samuda) could be considered very satisfactory, for the hon. Member had informed them that he was more or less an *ex parte* witness on the trial in question. He must remind the Committee that one of the claims of Mr. Clare at the trial was that the hon. Member for the Tower Hamlets was using his invention in his office of contractor for the Navy.

MR. SAMUDA said, that if he might be allowed to interrupt the hon. Member for a moment he could explain the matter. When Mr. Clare came to his office he explained to him that, in former years, he had built vessels for the Admiralty in the form which he described as being one of his inventions. That was a vessel with armour plates on the outside and teak behind, then armoured plates and wood behind, and that vessel was built long before Mr. Clare had any patent at all. At the time he (Mr. Samuda) gave evidence in Court, he had no wish to give evidence against anyone; but he only stated what he knew of the matter. Mr. Clare did not then set up the claim which was now brought forward, but he only claimed to build vessels in compartments in a manner in which they had been built previously for the Admiralty. From the evidence of one witness it was perfectly clear that a vessel called the *Great Western* had been built in precisely the same way that Mr. Clare had claimed as his invention, and which he said the Government had adopted. So far as he was concerned he had nothing more to do with Mr. Clare than the hon. Member.

Mr. PARNELL had not misunderstood what the hon. Member had previously said. He was only giving his version of the matter in rather different words. He did not say that the hon. Gentleman himself admitted that one of Mr. Clare's claims was against him in his office as contractor of the Navy, but he maintained that the hon. Gentleman had made use of one of Mr. Clare's patents. At all events, that was the statement of Mr. Clare; but he did not say that that was the statement of the hon. Member himself. All that showed how necessary it was that the matter should be set at rest by a fair and independent inquiry. It had always struck him, with reference to Mr. Clare's claims, that the Admiralty at the trial had to go back 30 or 35 years to meet them. Then, so far as the statement of Mr. Clare went, he had never heard any counter-statement from the Admiralty. The misfortune of the case was that the Government had never attempted to answer the case made out. They had that night heard a great many more details with regard to the case than they had ever listened to before. One of the chief arguments of Mr. Clare was that the Government were obliged to go back 20 or 30 years in order to show that, 25 years ago, a vessel was built of a similar pattern to that which he claimed. By that means, they sought to show that his patent was not well-founded. It looked very much as if the Admiralty of that day was obliged to resort to a strange defence, when they went back so many years in order to find an instance to bring forward in opposition to Mr. Clare. Why did they not bring forward some recent example, such as the hon. Member had told them of? If Mr. Clare had no case, let it be answered properly. But, although the matter had been brought forward several times, yet, on no occasion, had any attempt been made to disprove his case. He certainly could not see that they would have no other resource than to have the matter fairly disposed of by the House of Commons, if the Government would not appoint two or three gentlemen to investigate it.

Mr. BIGGAR was very unwilling to press the case farther, and he could only say that he had not, by any means, stated all that Mr. Clare had wished him to say with regard to the matter. He would, however, read to the House an affidavit which had been made by Mr. John Morrison, foreman shipbuilder of the late Mr. Laird, the Member for Birkenhead, which entirely contradicted the evidence of Sir Charles Fox, upon which the matter was decided against Mr. Clare. Mr. Morrison said that the greater part of Sir Charles Fox's evidence was untrue. The truth was, that Sir Charles Fox had nothing to do with the building of the vessel *Alburka*, and that it came under his (Morrison's) own superintendence, and he was perfectly certain that it had no longitudinal framework. The vessel was built with temporary ribbons, which were taken away as the fittings were progressing. Sir Charles Fox did not superintend the building the vessel, which was under his (Morrison's) charge from the beginning to the end. From his great experience in shipbuilding, the witness stated he could vouch for the novelty of the invention. He only wished to point out that, upon the merits, he thought Mr. Clare had won his case, and that he was entitled to an inquiry. As, however, he should be in a small minority, he should not take a division.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Mr. A. MOORE wished to say a few words with respect to Naval chaplains, and he should like to have some information from the right hon. Gentleman the First Lord of the Admiralty with respect to the Minute published last year. At the present time, the Roman Catholic sailors in the Navy seldom had the advantages of the administration of members of their own religion. When in foreign ports the men were sent to Roman Catholic churches; but the priests at those places did not understand English. He wished to ask the right hon. Gentleman whether he would take any means to provide more religious advantages for the Roman Catholics in the Navy? He would like to know whether the right hon. Gentleman intended appointing Roman Catholic chaplains? He did not wish to ask the Committee to consider the propriety of placing Roman Catholic chaplains upon each ship of war, for upon many of those ships there was but a small number of Roman Catholics. But he did think that the Admiralty might place Roman Catholic Naval chaplains at the principal Naval centres, where they did not exist at present. He knew many officers of Her Majesty's Navy who thought very highly of that proposal, for they found that the influence of the chaplains civilized their men and made them less liable to fall into crime. There was another matter. Invalid ships were sent back from India with sick on board, without the presence of Roman Catholic chaplains. It was hard on a man, who probably knew that he would not see the shores of England, but would die on the passage home, to prepare to go to the other world without the consolations of religion. He would press upon the Government the necessity of providing more Roman Catholic chaplains at the principal Naval centres at home and abroad, and also on board invalid ships. Upon those points, he thought they had a right to expect some satisfactory statement. No doubt, it was a rather knotty point with regard to the invalid ships; and, perhaps, the right hon. Gentleman would say that it was a matter for the War Department to deal with, and if they went to the War Department, they would probably be told that the question should be brought before the Government of India, who paid for recruiting the strength of regiments in this country, and for their transports out and home. He would not enter into those questions; but he trusted the right hon. Gentleman would not refer the matter to another Department, but would arrive at a satisfactory settlement of it himself. Then, with regard to foreign ports—sometimes a large number of our vessels were lying in foreign ports. During the Eastern complications there was a large Squadron stationed in Besika Bay, in the Mediterranean. He thought the authorities should make some local arrangements to provide for the religious instruction to men under such exceptional circumstances as those. But it was not only in foreign ports, but in home ports, that the Roman Catholic chaplains had no *locus standi.* In Portsmouth, Plymouth, and other places, they saw the men for three-quarters of an hour on a Sunday morning, whereas the Protestant chaplains had opportunities for going amongst the men every day in the week.

THE CHAIRMAN drew the attention of the hon. Member to the fact that the discussion in which he was engaged would more properly have been raised upon Vote 1, which contained the item for the salaries of chaplains.

MR. A. MOORE rose to a point of Order. He wished to move a reduction of the Vote in respect of the salary of the right hon. Gentleman the First Lord of the Admiralty. He thought he was entitled to do that, and he brought forward a grievance which he considered existed in certain Departments of the Naval Service.

THE CHAIRMAN said, he must point out to the hon. Member that, although he was entitled to move the reduction of the salary of an Admiralty official, yet he was not entitled on such a Motion to enter into matters which formed the subject of another Vote. The question which the hon. Member now raised ought to have been discussed on Vote 1.

MR. PARNELL said, it was rather a long time ago since Vote 2 was before the Committee; but now he was reminded of the matter, perhaps he might be allowed to say that when Vote 1 passed through the Committee at a late period of the night, when he moved to report Progress in order that there might be an opportunity of discussing the Vote, the right hon. Gentleman the First Lord of the Admiralty was very anxious to get money for the Navy, and it was promised either by him, or by someone else, that if the Vote was allowed to pass without disussion, Members should be afforded opportunity upon subsequent Votes for the discussion of any Motion that could be discussed on Vote 1. He did not know whether that would bear upon the present point or not; but, as he recollected what took place at that time, he thought it desirable to remind the Committee.

MR. BIGGAR said, that there was another question with regard to the point raised by his hon. Friend. Probably, the right hon. Gentleman the First Lord of the Admiralty would remember that when his hon. and learned Friend the Member for Louth (Mr. Sullivan) raised a question as to the chaplains at Delagoa Bay, a promise was made to him that chaplains should be supplied to that place. If the right hon. Gentleman would not give a more specific promise with regard to that question, he thought it open to the hon. Member for Clonmel (Mr. A. Moore) to complain of the want of attention to the undertaking made by the the Government. For that reason, he thought they were right in moving the reduction of the salary of the right hon. Gentleman the First Lord of the Admiralty.

Mr. CHILDERS said, that it was not quite accurate to say that Vote 1 dealt with that matter, for Vote 1 only dealt with chaplains of the Church of England. It would be found that Vote 14 provided for chaplains of the Roman Catholic and all other denominations. He thought it would be more regular, therefore, to raise the question which was now sought to be brought forward upon Vote 14.

Mr. A. MOORE expressed his willingness to accede to the suggestion of the right hon. Gentleman the Member for Pontefract and to bring the matter forward upon Vote 14.

The CHAIRMAN said, that the hon. Member would not be out of Order in raising that question upon Vote 14, which was for all chaplains not being members of the Church of England.

Mr. MACDONALD wished to move that Progress be reported. His reason was that they had had an Army Discipline and Regulation Bill, which had occupied the House something like four weeks, or 24 days, by which the regluations and government of the Army had, to a large degree, been altered. They were promised, that immediately the Army Discipline and Regulation Bill was concluded, a Bill dealing with Naval Discipline should be produced; but that Bill had passed away, and up to the present time the House had not heard one word from the Government or from the right hon. Gentleman the First Lord of the Admiralty in regard to it. All they had to depend upon was the vague promise of the Government that it was their intention to bring in such a Bill. He ventured to say that the provisions of the Naval Discipline Act were as severe—nay, they were more severe—than the provisions of the late Army Regulations. They were called upon to vote large sums of money for the purposes of the Navy; but, before they did so, he thought they were entitled to know what was to be done with regard to the discipline of the Navy? It was now the law that, in the Army, a soldier should not receive more than 25 lashes.

The CHAIRMAN pointed out to the hon. Member, that the question which he intended to raise would be more germane to Vote 13 on account of naval courts martial.

Mr. A. MOORE understood that the Question before the Committee was that Progress be reported.

The CHAIRMAN said, that in moving to report Progress, the hon. Member for Stafford was entirely out of Order in entering upon the discussion of matters that arose upon a subsequent Vote.

Mr. MACDONALD said, that his Motion was to report Progress, and if he had incidentally referred to any subsequent Vote, it was not his intention to do so. His intention was to impress upon the mind of the House that they had legislated for the benefit of the soldier, and that they were not entitled to vote money for the Navy until they had legislated for the benefit of the sailor. He had said before, and he repeated it, that the Navy Discipline Act, in its whole form, was outrageous and cruel in regard to the treatment of the sailor as the Army Act formerly was in regard to the soldier. They were told by the right hon. Gentleman, in regard to sentences passed, that they satisfied him; but he thought that if there was any cruel and outrageous sentence passed upon any individual in Her Majesty's Service, Parliament ought to stop it. He considered that Parliament and the country, as well as the right hon. Gentleman, should know what the conduct of the man had been, and why he was to be called upon to suffer severe punishment. In the Army Discipline and Regulation Bill the functions of courts martial were submitted to the House, and great innovations had been made with respect to them; the functions of the Provost Marshal had also been submitted to the House, and great modifications made in his powers. Courts martial in the Navy were very similar to courts martial in the Army, and he did not think that they ought to vote any money at all for the Navy until they had a Bill before them with regard to Naval Discipline. He begged to move to report Progress, and ask leave to sit again.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Macdonald.*)

MR. W. H. SMITH trusted that the hon. Member for Stafford was not serious in proposing to report Progress at that hour of the evening, especially as it would be perfectly open to him to raise a question to which he referred to-morrow. He might, however, state that immediately the determination of the House in reference to flogging in the Army was arrived at, an Admiralty Circular had been issued directing that the maximum number of lashes to be given in the Navy should be reduced to 25; and, therefore, the spirit of the undertaking given to the House had been fulfilled. He was anxious, at the right time, to bring in a Bill relating to the whole subject of discipline in the Navy; but he trusted that the hon. Member would now withdraw his Motion, and permit the discussion to proceed.

MR. PARNELL certainly thought it would be most convenient to discuss that question upon Vote 13 (Administration of Martial Law). He would suggest to the hon. Member for Stafford that he should withdraw his Motion to report Progress, and should allow them to go on with the Votes until they arrived at Vote 13. He hoped, then, that they would have some more distinct declaration from the right hon. Gentleman the First Lord of the Admiralty than they had yet had. He had told them that, after the decision of the House with respect to the Army Discipline and Regulation Bill, the number of lashes should be reduced to 25, he had issued orders that the same practice should be carried out in the Navy. But he did not give orders in regard to the other reductions of punishment sanctioned by the Army Discipline Act. The old Mutiny Act contained provisions for solitary confinement and solitary imprisonment; all those clauses were struck out of the Army Discipline Act they had just passed. Last year, and the year before, some hon. Members on that side of the House drew attention to the question of solitary confinement, and the result of their exertions was that, when the Army Discipline and Regulation Bill was brought before the House the punishment of solitary confinement was given up, and there was now no power to punish a soldier by solitary confinement as a part of his original sentence. A soldier could only now be punished with solitary confinement, for breach of prison discipline, under the Prisons Acts. When they reached Vote 13, he hoped that they would have an assurance from the right hon. Gentleman the First Lord of the Admiralty that he would not allow any more sentences of solitary confinement to be inflicted by courts martial as part of original sentences. The old Navy Discipline Act ran on all fours with the old Army Mutiny Act. It had been admitted that there should not be more extreme punishment in the Navy than in the Army; and the right hon. Gentleman could not with any consistency refuse to grant the request they now made that, as solitary confinement had been given up in the Army, it should also be given up in the Navy. It would be easy for the right hon. Gentleman to give such directions as would place the discipline of the Navy upon the same footing as that of the Army. He hoped, therefore, that by the time they came to Vote 13, the right hon. Gentleman would be able to see his way to make the announcement to the Committee that he would direct that the punishment of solitary confinement should not be inflicted as part of an original sentence.

MR. O'CONNOR POWER thought that the hon. Member for Stafford (Mr. Macdonald) ought to be satisfied with the explanation of the right hon. Gentleman, so far as it had gone, and he would venture to support the appeal of the hon. Member for Meath (Mr. Parnell) that he should withdraw his Motion. The abolition of solitary confinement, and other punishments in which alterations had been made by the Army Discipline Act, could be extended to the Navy without legislation and by regulation only. He expected the right hon. Gentleman would probably tell them that, owing to the time the Army Discipline and Regulation Bill took, he had been unable to introduce a Bill of the same character with regard to the Navy during that Session—that would be the most satisfactory explanation. And if he were able to make an order reducing the number of lashes to 25, he would also be able to make an order reducing the other punishments in the Navy to a level with those in the Army. In that manner the objections of the hon. Member for Stafford might be anticipated. He was sure that the hon. Member for Stafford did not wish to delay Business, but only to get an assurance from the right hon. Gentleman that all the reductions in the punishments effected by the Army Discipline Act would also be extended to the Navy.

Mr. CALLAN wished to have further explanations with reference to the cats which had been left in the Cloak Room for the inspection of hon. Members. When he saw the cats at the Admiralty, one of them bore the inscription—"Navy cat; specimen lodged in Storekeeper's Department many years since; Her Majesty's Dockyard, Portsmouth." When that cat was placed in the Cloak Room, the following inscription was substituted:—"Cat provided for use on board Her Majesty's ships for seamen and marines." The hon. Member for Meath asked the right hon. Gentleman the First Lord of the Admiralty as to whether the endorsement upon the cat in the Cloak Room was the same as that which appeared upon it a week before, when he (Mr. Callan) saw it at the Admiralty. The right hon. Gentleman the First Lord of the Admiralty, probably not speaking from his own personal knowledge, but from that supplied by one of his subordinates, answered that it was the same. He (Mr. Callan) could aver that no such endorsement as he had last mentioned ever appeared on any cat which he saw at the Admiralty. The statement that the endorsement was the same was without a shadow of foundation. It was an utter falsehood supplied to the right hon. Gentleman by some clerk at the Admiralty. Before Progress was reported, he wished to know whether the right hon. Gentleman was prepared to have an inquiry to discover the person who had supplied him with so wholly false a statement? Would he institute an inquiry to ascertain who was the party responsible for that intentional mis-statement—he would maintain it was an intentional mis-statement—it was a statement in direct contravention of the facts? Would the right hon. Gentleman defend it, or would he cause an inquiry to be made to ascertain who was responsible for that false and unfounded statement?

Mr. W. H. SMITH had hoped that the subject to which the hon. Gentleman had referred had been dropped. The statement which he made in that House was, to the best of his belief, perfectly accurate. If the hon. Gentleman would compare the statement he had made with the statements that he had admitted were accurate, he would see that the difference between the two was not so great as to make it the interest of any person to misrepresent the facts. It did not appear to him that there was any such important difference in the labels attached to the cat as to show that there was any intention to deceive the House. The hon. Gentleman would remember that he (Mr. W. H. Smith) was responsible for the substitution of the labels. The previous label was one which gave no information to the House, and it was only to make the matter clearer; but he had no expectation of obtaining any other result than he had already given to the House some time ago—namely, that the label was one which was attached to the cat in the first instance. Of course, he accepted the statement which the hon. Member made.

Mr. CALLAN said, that when he saw the cat, it had a certain inscription upon it; but when it was placed in the Cloak Room, it bore another inscription; and now that the right hon. Gentleman the First Lord of the Admiralty took upon himself the responsibility of the statement, it became more serious. That was not the first occasion on which the right hon. Gentleman had found that he had been inaccurately informed. He was prepared to prove that the statement made by the right hon. Gentleman the First Lord of the Admiralty, to his own certain knowledge, upon the evidence of his subordinates, was utterly without foundation, and was false and misleading. He asked that an inquiry should be instituted to discover and visit with punishment the person responsible for that false and unfounded statement; or, in the alternative, whether the right hon. Gentleman was prepared himself to accept the responsibility of making the statement.

Question put.

The Committee *divided*:—Ayes 10; Noes 161: Majority 151.—(Div. List, No. 200.)

Mr. A. MOORE would like to ask, before this Vote was passed, what the system of Audit was in the Admiralty? Was it the same as it was in the War Office, and did the accounts go before Sir William Dunbar? If they did not, to whom were they submitted?

Mr. W. H. SMITH replied, that the system of Audit was the same in both Departments.

Captain PIM asked for some explanation as to the re-organization which was promised at the Admiralty. By a Return dated the 14th June, 1878, there was to be an immediate saving of £2,478, whilst, according to the Vote, there had been an actual increase in the cost of the Office of £500. He should like to have some explanation of the failure to carry out the saving announced in the Return of last year?

Mr. W. H. SMITH replied, that in the reorganization of the Accountant General's Department the cost had been reduced so that there was actually a saving of £2,800.

Captain PIM pointed out that, under the head of "Naval Department, Clerical Staff," there could be no question there was £500 increase while they were promised a reduction of £2,478. If the right hon. Gentleman would look at page 14, he would see the matter was as he had stated.

Mr. W. H. SMITH replied, that there had been no re-organization in that Department at all. The re-organization promised was in the Accountant General's Department, and that had taken place. The re-organization of the Staff in the Naval Department was under consideration.

Captain PIM said, with regard to another portion of the Vote, he should like to have some explanation of the purchase of the *Independencia,* now called the *Neptune,* for £614,000. The ship was a broken-down craft altogether, and the amount given for her was largely in excess of the cost of ships of larger displacement. A new ship of 10,000 tons did not cost that sum, while the *Independencia* was only 9,000 tons. He should like to know whether this ship had been tried for stability, and whether she was really a safe ship? She had her back broken in launching, and he should not have thought her worth half the sum mentioned.

The CHAIRMAN: I must point out to the hon. and gallant Member that the question he raises does not come under this Vote.

Original Question put, and *agreed to.*

(3.) Motion made, and Question proposed,

"That a sum, not exceeding £193,870, be granted to Her Majesty, to defray the Expenses of the Coast Guard Service, Royal Naval Reserve, and Seamen and Marine Pensioners Reserve, and Royal Naval Artillery Volunteers, which will come in course of payment during the year ending on the 31st day of March 1880."

Captain PIM said, he must call attention to the Royal Naval Reserve, and he should beg to move to reduce the Vote by £139,000, the amount set down for that force in the Votes. His reason for doing this was that he was the officer sent down to organize this Royal Naval Reserve some years ago, and he had taken the greatest interest in it ever since; and he now said, without fear of contradiction, that the force was a sham and a delusion. If England were at war this moment she could not count on 1,000 out of the 20,000 men put down in the Vote. Even if that number were available, we could not get a single man away from the merchant ships into the Navy, because the majority of crews in the Merchant Service consisted of foreigners, who, of course, in the event of war, would go to their own countries. From a Petition presented by seamen to the House, he had no hesitation in saying that the Government would find it utterly impossible to find in the Mercantile Marine so many as 30,000 British seamen. As to there being anything like 20,000 in the Reserve, that could not be the case, and even if they were enlisted it would be impossible for them to leave their ships to serve in the Navy in case of a war. There clearly would not be one man to each ship in the Mercantile Marine, for we had 26,000 ships. The Reserve, he maintained, was a sham and a delusion, and it was a very great mistake to pay this sum every year for what was no use, when with the greatest possible ease volunteer seamen could be raised all along the coast. He had done his very best, on several occasions, to point out the true state of the case, and he should now feel it his duty to divide the Committee on this point.

Motion made, and Question proposed,

"That a sum, not exceeding £54,870, be granted to Her Majesty, to defray the Expenses of the Coast Guard Service, Royal Naval Reserve, and Seamen and Marine Pensioners Reserve, and Royal Naval Artillery Volunteers, which will come in course of payment during the year ending on the 31st day of March 1880."—(*Captain Pim.*)

Mr. W. H. SMITH said, his hon. and gallant Friend would not expect him to follow him in his objection to the Royal Naval Reserve. For his part, he believed them to be a most useful and trustworthy body of men. He was not responsible for their establishment; but he thought that his right hon. Friends opposite who did establish that force believed that they could place great reliance on it. The hon. and gallant Gentleman said that all these men would be wanted for the merchant ships in time of war. As a matter of fact, a good many of them were constantly under drill at home, and these, at all events, would be available. Besides, as they all knew, one of the results and conditions of warfare was a certain interference with the Mercantile sea service of the country. And, no doubt, if England were engaged in war, there would be a less number of ships sailing under the British Flag than at present. He had no doubt that the Naval Reserve would be a very valuable assistance to our Navy in time of war, and he quite believed that the number of men put down would be available.

Mr. A. MOORE said, in reference to the question he had raised a moment ago as to the Audit of the Navy, he found that Sir William Dunbar reported on the Navy Accounts—

> "I certify that this account has been examined by officers under my directions in accordance with and to the extent prescribed by the 29 & 30 *Vict.* c. 29, and that it is a correct statement of the Appropriation Act of 1877.
>
> (Signed) "William Dunbar."

He wanted to ask the right hon. Gentleman the meaning of the reservation contained in the words "to the extent prescribed?"

The CHAIRMAN: The hon. Gentleman is not in Order in raising that point on the question of the Vote for "the Coast Guard and Royal Naval Reserve." His question had reference to the system of Audit for the Admiralty Office, and he is not in Order in raising it now.

Question put, and *negatived.*

Original Question again proposed.

Captain PIM asked, if the First Lord of the Admiralty would be good enough to give him an undertaking that he would look into this matter? If his contention were right, all the Royal Naval Reserve men would be required on board the merchant ships in the event of war. Then, surely, it was not worth while going on paying these men; and he hoped his right hon. Friend would consider the matter, which was certainly of very great importance.

Mr. GOSCHEN said, this subject had been constantly inquired into, and had been before various administrators at the Admiralty, and their contention was that the assertion of the hon. and gallant Gentleman was not correct, and that the force of the Royal Naval Reserve was of use. The question was fully inquired into under previous Administrations, and both his right hon. Friend (Mr. Childers) and himself, when they were at the Admiralty, were of opinion that the Royal Naval Reserve was a very strong force, which, in time of difficulty, would be of the greatest service to the country. He might add that, in 1867, his right hon. Friend actually invited a certain number of men to come forward and assist in manning some of the ships by way of experiment, and the men were not only forthcoming, but they conducted themselves exceedingly well.

Captain PIM remarked, that that was in time of peace.

Original Question put, and *agreed to.*

(4.) £105,576 (Scientific Branch).

Mr. SHAW LEFEVRE said, he wished to take this opportunity of asking the First Lord of the Admiralty whether he had made any inquiry into the result of the recent system of admitting cadets into the Naval Service. The Committee would recollect that, some years ago, a change was made in the regulations by which cadets were admitted into the Naval Service, and that, in place of the principle of examination established by his right hon. Friend near him, the old principle of nomination was re-adopted. He had twice taken the sense of the House on this important question with the view of the restoration of competitive examination in the appointment of cadets; and he would have raised the question again during this Session, but that that he was anxious to give the right hon. Gentleman opposite (Mr. W. H. Smith) a full opportunity of making inquiries on the subject himself, and of coming to some decision on it personally before he did so. Therefore, during the Session he had not brought this matter before the House as he had intended to do. He should be glad to know, however, whether the right hon. Gentleman had made those inquiries, and whether he now proposed to make any change in the present system, and to revert to anything like competitive examination? He had reason to believe that the recent change in the admission of cadets had not been beneficial to the Service. The class of boys appointed under the system of pure nomination had not been so satisfactory as the class of boys appointed under the system introduced by his right hon. Friend. The Committee would be glad to know whether the right hon. Gentleman had gone into this question, and especially whether he had taken the opinion of those gentlemen who had had the opportunity of comparing the results of these examinations with the examinations adopted under the system of competition.

MR. E. J. REED wished to suggest to the First Lord of the Admiralty the desirability of giving the House in future further information about these scientific branches. He often himself found considerable difficulty in tracing their operations; and he had no doubt other Members of the House had experienced the same extreme inconvenience which arose from the fact that, although each of the Departments sent out an annual Report, those Reports never came into the possession of Parliament. This was the case, not only with the Observatory, but also of that very important College, the Naval College, with regard to which the House had voted large sums annually, and in which the House felt deep interest, and ought, therefore, to have some information. It was eminently true, also, of the Hydrographic Department. He very frequently came across official statements of the operations of that Department; but he did not think they ought to have to hunt them up from the publications of various scientific bodies. He would therefore suggest, for the consideration of the First Lord of the Admiralty, whether the annual Reports of these several branches could not be laid upon the Table of the House, to enable Members, at any rate, to discuss these Votes with more information at hand than they had at present? He might take that opportunity of saying that he had recently had the means of looking very closely into that branch of the Service. He knew that that Service was conducted with exceptional rules, and with considerable exemptions from the ordinary routine, and he therefore made it his duty, when he was recently in Hong Kong and Japan, to make inquiries into the operations of the Service there. He thought it was a proper thing to do, as a Member of the House, by chance in those distant parts; and he was very glad to say that he was not only satisfied, but he was extremely pleased with the condition in which he found both the Chinese and Japanese Services. They were doing most excellent work in a most excellent manner; and in the case of both branches he was extremely satisfied. He, consequently, regretted more than ever that they were so entirely without information as to the operations of these branches.

CAPTAIN PIM wished to endorse every word that had fallen from the hon. Member. There was no doubt whatever that the information given on this matter, and, indeed, on all the Votes, was meagreness itself. He held in his hand the Report of the Secretary of the Navy of the United States, and nothing could be more clear or more full. It gave, in a readable form, all the information they wanted, and, surely, it would be no trouble on the part of the First Lord of the Admiralty to prepare a similar statement, and lay it on the Table with the Votes, so that hon. Members would be able to look into those matters, and take up those points, in which they felt an interest. They certainly ought not to have to wade through a mass of figures which were as vague and as ill put together as anything he had ever seen.

MR. CHILDERS observed that there were one or two questions in connection with this Vote on which the First Lord of the Admiralty might give them a little information. In the first place, they had not been put in possession of the Reports and results of the observations of the transit of Venus. These observations were now a good many years old, and the primary object of the Vote, which he had the honour to move himself, was to correct the measurement of the distance between the sun and the earth. A very large expenditure was granted primarily, though not solely, for that purpose; and he had not yet seen the result of that very careful inquiry. They had had a Report of the observations of the transit; but the question which it was to settle, and which was of very great value indeed, had never yet, so far as he was aware, been indicated to Parliament or the public at all. Then, with reference to the sale of charts and nautical almanacs by the Admiralty, he found that the sale of charts was advancing very satisfactorily, and he was glad of that, because they were of great value to the Service. On the other hand, there was a very decided falling off in the sale of nautical almanacs, although, so far as he was aware, the demand for such works had not fallen off within the last few years. Then, he wished to ask a question with regard to the Service of our Colonies. At page 28 it was stated that the moiety of the charges of the Survey of certain Colonies enumerated were discharged out of the Naval Vote. If he was not mistaken, although one of the Colonies offered to continue the previous charges, for some reason or other not generally understood, the Survey had been abandoned. He was alluding to the Survey of Tasmania. As to the point which his hon. Friend had raised in reference to cadets, he hoped the First Lord of the Admiralty would give careful consideration to that subject, because he had reason to know that though, in some respects, the cadets of last year were more satisfactory than the cadets of the two previous years, yet that a very considerable number of boys of inferior calibre had come in compared with those who used to be introduced.

Mr. ONSLOW would like to know exactly how these cadets were appointed? There was great ignorance on the part of the public as to who had the nomination. He had been told that the Admiralty had a certain number; that captains, when their ships were commissioned, also had a certain number. But although he had tried to get to the bottom of the matter, he still remained in perfect ignorance about it. He should like to ask whether it ought not to be incumbent upon the First Lord, and those who had the power of making these appointments, to consider first the claims of those officers who had served Her Majesty in the Army or in the Navy? He thought all these appointments should be made quite independently of Party considerations, and that officers of the two Services who gallantly fought for their country should certainly be first considered. He was afraid that was not the primary consideration, and he would, therefore, impress upon his right hon. Friend how incumbent it was upon him to give up every other claim to such as those he had mentioned.

Major NOLAN would be very glad to know whether there really was a marked superiority in those cadets who came in by nomination over those who came in by competition? It must be remembered that great injustice was done by boys being shut out on the nomination system. In the other Services the appointments were perfectly open, and young men had a chance of getting into the Army, or into the Civil Service, or into the Services in India. He thought there ought to be no nominations, except in special cases like the Guards. But the Navy was a marked exception, and he could not understand why it should be so. The appointments were very valuable, and much sought after. The pay was very small at first; but if they looked through the list, they would find there were a good many prizes and a good many substantial rewards open to lads, and yet there was no means of getting into the Navy except through private friendship with the Government. It was impossible for an ordinary man to get his son in. If there were competitive examinations, the cleverest boy would win. If there were mixed examinations properly conducted, though that was very difficult, the best boy would also win. But, at the present moment, a certain number of vacancies were given to sons of officers in the Army and Navy, and the remainder were left entirely and exclusively in the hands of the Government. The system was an anomaly, and ought not to exist. He did not mean to say for a moment that the present First Lord had not administered it quite as fairly as any other

First Lord, or as well as it could be administered; but the whole system appeared to him totally wrong and totally opposed to the spirit of the day. To justify that, the First Lord ought, at least, to be able to show that he got better boys by that system than by the competitive examinations.

CAPTAIN PIM observed that the Government certainly ought to get the best cadets it was possible to have, for he found, by reference to the Returns, that each one cost the country upwards of £300 a-year.

MR. W. H. SMITH said, he could hardly suppose a First Lord to exist who would not be exceedingly glad to adopt the system of competition, and to be relieved from the responsibility of selecting candidates to be nominated for the test examination for cadetships. Since he had been in Office he had very carefully considered the question put to him by his hon. Friend. It was certain that the system of cram adopted in order to get the boys up to the degree of knowledge to pass the competitive examinations formerly required at the age of 13 seriously affected their physical health. That was the reason for the change that had been made. He was prepared to say that the reason was a good one; but he desired to treat the question as an open one, and to give it his best attention and consideration. The matter, however, could only be decided by watching the boys as they passed out of the *Britannia*. He had done so, and he had thought it right to raise the standard considerably, and to require a larger number of marks to pass the test examination than formerly. The fact was that a considerable number of rejections at the test or entrance examinations took place every half-year, and although they had not got back to the system of their predecessors in requiring competition, there was yet a severe examination for boys before they could pass into the Service. His hon. Friend (Mr. Onslow) had referred to the system of nomination. He could assure him that, so far as the First Lord was concerned, he had always considered the claims for nomination in this order—first of all, he placed the claims of a naval officer, next he had considered the claims of an Army officer, thinking that both those should stand first, because they were men who had served their country. In any nomination which he had to give away, the two Services had the first preference, and then came the persons who had served the country in other ways, or who had a claim to be considered, for some reason or other, before the outside public. That was the principle on which he had acted; and his naval Colleagues, he believed, acted on very much the same principle. A certain number of officers also had power to give nominations; but it was always understood that every nomination was subject to the boy passing a test examination of a very severe character, and if he did not pass that he failed to enter the Service. He thought the system was now very much more satisfactory than it was, and the attainments of the cadets were of such a character as to give promise for the future. As to the transit of Venus, the reduction of the observations had been a very long and serious matter. His right hon. Friend was aware that the officer who was now in charge and at the head of the Observatory was a gentleman who was entitled to a great deal of consideration, for he had rendered very great services to the State, and it was not possible to press him in the same way as they would have pressed a younger man. He had requested the Board of Visitors of the Observatory to take the subject into consideration, and they had now made certain recommendations which he had himself urged upon his hon. Friend the Secretary to the Treasury, and which he had no doubt would be acceded to. As the result, he hoped they would very soon have the full scientific results of that observation. With reference to the sale of nautical almanacs, he was not aware of any reason for the falling off. With regard to the survey of the coasts of Tasmania, he had some recollection that in regard to one Service, at any rate, the Colonial Secretary caused a suspension for a time of the arrangement; but he was not able to say for the moment whether that was the Tasmanian survey or not. If his right hon. Friend would ask him the question later on, he would take care that it should be answered. It was their object to maintain these Services as completely and efficiently as possible, and, as his right hon. Friend was aware, a very considerable number of the staff was employed on the survey. In Tasmanian and Australian waters they had done very good work, and no one could possibly doubt that the results had been very valuable. The hon. Member for Pembroke (Mr. E. J. Reed) had asked for further information as to the scientific branches. He thought the request that the annual Reports of these branches should be published a very reasonable request, and he would endeavour to comply with it in the course of this year, or, at any rate, before the Estimates for the next year were presented. The Reports of the Observatory, for instance, and some other statements, were likely to be very interesting. He might add that he had thought it necessary to take authority to place the lieutenants who were students at the Royal Naval College on full pay. It appeared to him very desirable that the young men who were ordered to stay in the College for a term commencing in October and ending in June should submit themselves to discipline. They would, therefore, be placed on full pay, and wear uniform in future.

Mr. SHAW LEFEVRE said, his information was that the boys appointed by pure nomination were decidedly less intelligent than those appointed on competitive examination. He was aware that the right hon. Gentleman had met with good results in his endeavour to raise the educational standard of the boys nominated; but the fact remained that under a system of competitive examination, even when limited, every inducement was offered to parents and guardians to make clever boys into sailors, while under the system of pure nomination parents and others generally selected the stupid boys for the Navy; and a very stupid class of boys was now being nominated under a system of cramming that just enabled them to pass the test examination. The general result of the present system was that a class of boys was now appointed to the Navy decidedly inferior to that appointed under the old system. He asked the right hon. Gentleman whether he had endeavoured to ascertain if this was a fact from the Director of Naval Education, who had examined boys under both systems?

Major NOLAN suggested that the First Lord of the Admiralty should ascertain the physical capacity of a certain number of boys who had entered through competitive examination, by medical test, at the end of two or three years after admission.

Mr. W. H. SMITH said, his impression was that there was no distinction between the boys admitted under the two systems. If the boys who now entered the Navy by nomination were stupid, they must be of a wonderful description, because they passed a severe examination with satisfactory results. He admitted that two years ago there had been some falling back; but that was not the case at the present time. He would, however, obtain further information upon the subject.

Captain PIM asked the right hon. Gentleman the First Lord whether the officers appointed to the command of surveying vessels were appointed without any regard to their practical knowledge of the Service in which they were to be engaged, as in the recent case of the *Alert*?

Mr. RYLANDS said, that two years ago he had brought under the notice of the House the question of the Naval College at Greenwich. At that time there were a great many complaints as to the way in which this institution was conducted, and there were those who believed that there was in connection with it a considerable amount of expenditure for which the country obtained no adequate return. In consequence of the discussion which took place on that occasion the First Lord of the Admiralty promised that in future, before the Estimates of each year were taken, there should be a Report presented in connection with the College; that the House should be furnished with a full account of the duties performed there; the number of students; and, in short, with a Report upon the whole subject. He believed that Return had not been laid upon the Table. It was true a Committee of Inquiry had reported upon the subject; but that was an entirely different matter from the annual Report which had been promised to Parliament, for the purpose of enabling the Committee to judge of the results of the expenditure they were asked to vote for. He felt that the fact of the Committee not having been furnished with this annual Report was the result entirely of an oversight, and that it was only necessary to allude to the circumstance in order to secure its being presented in future. He thought he had gathered from the First Lord of the Admiralty that the promised Report should contain information with regard to the proceedings of the College; and in connection with that he hoped it would be shown by the Report that the large staff of Professors and other officers of the College were all usefully employed and all required; but upon that he would not venture to express an opinion. With regard to the various items of expenditure, it seemed to him very difficult to show that they were not excessive; and, perhaps, the Admiralty would look into these matters. The number of police officers and artificers, the charges for fuel, furniture, and stores, were all upon a scale which he could not imagine to be within reasonable limits; on the contrary, they seemed to be very excessive. The police wages, he observed, were put down at the extraordinary sum of £1,497. The allowances to servants, wages, and general mess and staff expenses were also very high, and there were other items which would appear to admit of reduction. He thought it very necessary that the House in future should have a full annual Report of the results of the College.

SIR MASSEY LOPES did not think the expenditure on account of the Naval College was excessive. The Estimates had been very severely criticized.

Vote *agreed to.*

(5.) Motion made, and Question proposed,

"That a sum, not exceeding £1,355,000, be granted to Her Majesty to defray the Expenses of the Dockyards and Naval Yards at Home and Abroad, which will come in course of payment during the year ending on the 31st day of March 1880."

CAPTAIN PRICE said, it would be interesting to the Committee, and to the Public Service generally, to have some statement as to the result of the scheme for the re-organization of the Dockyard Clerical Staff. He had some reason to think that the senior members of the staff were tolerably satisfied with what had been done; but amongst the lower grades, however, this satisfaction did not exist. There was one class of clerks, called Admiralty writers, a numerous and important body, who felt they had been hardly treated. They had been promised promotion to the Lower Division of Clerks — a rank which, under the new scheme, was abolished with reference to the Dockyards. Surely some compensation ought to be given to these gentlemen, who had been expecting the promotion which had been held out to them for the last three years by Order in Council, and which had been since ignored, even though their names had been given in to the Admiralty for promotion, in obedience to a letter sent to the Yard. As far as he could judge, no compensation was to be given to these persons. He believed also another class, the mechanic writers, whose duties and knowledge were rather more technical than those of the ordinary writers, were dissatisfied with a clause in the instructions which said that they were to give any extra time that might be demanded from them without their having any claim for extra pay. The answer, he understood, on the part of the Admiralty, was that they did not intend to ask these writers to give any extra time. That was all very well; but why, then, was such a provision inserted in the regulations? He trusted that the Admiralty would not call upon these writers to do extra work without extra pay. There was another matter of great importance in connection with this subject. The Committee would be aware that the persons employed in the factories throughout the Yard were of two classes—namely, those upon the list of the establishment, and those who were hired temporarily. For obvious reasons, the latter received a somewhat higher rate of pay than those upon the establishment. But it was not from choice that they were only "hired men;" they wanted to be placed upon the establishment, and serve Her Majesty continuously in the Dockyards, and some of them contended that having served in their present capacity for long periods, say 20 or 30 years, they were entitled to receive a pension, or, at all events, a good gratuity. In 1846 the Admiralty had taken this question into consideration, and had awarded to the hired men a small gratuity on retirement, on account of their age, after a certain period of service, of £1 for every year's service. But it was subsequently seen that this system would not work satisfactorily, because a man receiving 10*s.* a-week pay would get the same gratuity as a man who received 40*s.* a-week, and a change was made by which a week's pay was to be given as a gratuity for every year's service. He had in his mind the effect of this system upon two men. The hired man having served for 30 years, would receive on discharge the sum of £63, or just about enough to keep his wife and family for a year; while the establishment man, who had been earning nearly the same wages as the other—namely, 42*s.* a-week —would, after a shorter period of service, receive a pension of £55 per annum. The discrepancy between these two cases was something enormous. He was aware that the Government were taking this question into consideration; and their object was now to establish, if not all factory men, at all events, a considerable number of them by degrees. But this was poor consolation to those who had been serving continuously in the factory since its establishment, and were now too old to benefit by such a change. His view was that the Government might give the hired men, who had served for a long period, half the amount of pension given to the establishment men, or else a very considerable increase in their gratuity; say, a month's pay for every year's service. He had listened to the speech of the hon. Member for Hastings (Mr. T. Brassey) with great pleasure; and whilst he agreed with everything that had fallen from him, especially as to the necessity of improving the position of certain officers in the Dockyards, he was bound to say that, as regarded their salaries pure and simple, they should be asked to wait for a time, and give their subordinates a chance. It must be remembered that a number of these gentlemen had lately had an increase of salary. He did not say their salaries had been increased sufficiently; on the contrary, he hoped that before long they would be increased still further; but the subordinate officers had received little or no increase at all lately. He thought he was correct in saying that the greater number of foremen in the Yards were receiving the same salaries as were received 50 years ago. Something had been said by the hon. Member for Burnley (Mr. Rylands) on the subject of the police employed about the Dockyards, and in connection with the Naval College at Greenwich. He believed that the amount paid for the police service at the Dockyards throughout the country was something like £60,000 or £70,000 a-year. Now, he had often thought that this large sum might be reduced to a certain appreciable extent by introducing pensioners to discharge police duties in connection with the Dockyards. This system had already been tried with success in some of the small Yards abroad. He could not see why pensioners, having undergone a suitable course of training, say for a year, should not undertake this work in England, and work under the direction of the police authorities. Their duties would soon be learned, and their services could, no doubt, be obtained for a small additional amount of pay over their pensions. This plan, he thought, would effect a large saving in the Estimates.

Mr. D. JENKINS said, that some of the items of the Vote appeared to him very extraordinary. For instance, they had a commodore receiving £600 a-year, and a second officer receiving £396 a-year, and another £200 a-year, and they also had an item of £782 for Admiralty assistants; but the total Service was to be only £1,100. He thought that those large items ought to be explained by the right hon. Gentleman the First Lord. It seemed to him that the expenditure at the Dockyard of Hong Kong was very large, considering that there were only small gunboats employed on that station, and that only a small number of artificers were in the Dockyard. He wished to point out to the right hon. Gentleman what he thought would be a great improvement upon the present system with regard to the gunboats—namely, that they should be brought home rather more frequently than at the present time—the passage could be easily made by means of the Suez Canal. By so doing, the expense would be saved of sending men to join the gunboats at foreign stations, and the Service would be improved if the gunboats were sent home for repairs. He would suggest, also, that no expensive repairs to ships should be executed abroad, but that they should be sent to Dockyards nearer home, like that at Malta, where the Dockyard was in a very efficient state, and would be available for the repair of ships upon distant stations. He thought they required additional information as regarded the expenditure under that Vote. They voted about £200,000 for the expense of foreign Dockyards, and he thought that some more information should be given as to how that money was expended on foreign stations. More particularly with regard to the expenditure at Hong Kong he should like to have some information.

Mr. SAMUDA observed, that when his right hon Friend made a statement at the beginning of the Session he asked for some Returns, in order that he might ascertain the amount of work performed and compare it with the work promised. It would be within the recollection of the Committee that it had been shown that a great disparity existed between the figures stated by the Government and by the hon. Member for Reading (Mr. Lefevre). But his object was particularly to draw the attention of his right hon. Friend to what he conceived to be a great failure in the way in which the Estimates were put before the House and of the way in which the Admiralty accounts were kept. It must be perfectly clear that the first thing for them all to possess, in order that they might know what they were doing, was to have a clear knowledge of the engagements they were entering into and what part of them they were carrying forward to the next year. It appeared to him that that was not satisfactorily done by the present system. He wished to draw especial attention to the necessity of making some change. He did not wish to lay any stress upon the shortcomings of the Government, and the difference between what was promised and what was performed; but he did desire that everyone in the House should have the means of ascertaining what had been performed and to compare it with what had been promised. Last year he found that they were promised 8,600 tons of armour-plated vessels; but only 4,800 had been completed. Formerly it was the custom to calculate the amount of shipping by builders' tonnage; but in 1874 a change was made, by which the builders' tonnage was entirely set aside, and, in lieu thereof, the Admiralty adopted a system of calculating, not by the displacement tonnage, but by a system representing the ton weight in the hull. It was, however, stated in the Estimates how much the vessel was to cost and how much was to be provided in the particular year to meet that Estimate. That would appear to give them some idea of what they did in particular years and what they left undone; but the Committee would observe that the way in which the Estimates were now drawn up did not even give them that information, because, when the cost of a vessel increased, as it constantly did, alterations were made in succeeding years, which disturbed all previous reference to progress and cost, and it was utterly impossible to arrive at the ultimate cost. That mode of calculation must lead to complications which no one could follow. He would ask the right hon. Gentleman if he could not simplify the Estimates, and enable them to understand what they were doing. First, when in cases where the Estimates were to be put before them for the construction of vessels, the Committee ought to know what would be the gross liability that they were assuming. They should not have put before them, as was the new practice, merely an Estimate for building so many hundred tons in the course of the year. They were only asked to vote money for that number of tons; but by so doing they might, and in many cases were, incurring the liability to spend a very large additional sum of money in completing those vessels. They ought to have before them the total sum of money which they would have to vote, not in the present year only, but in all succeeding years, for the completion of the vessels; if in any succeeding year a reference was made to the money spent on these vessels, then they would know how much they had expended, and what it was intended to expend, and how much they would be liable to expend in the future, and in that way they would be able to know what they were doing. At the present moment they could not tell anything beyond the fact that it was intended to build so many tons in the course of the year. Then the cost of the vessels was often found to be greater than was originally estimated for, and additional expense was thereby incurred. It was important that those who followed the Estimates should be able to lay their fingers upon such things to show that they had, for instance, voted £5,000,000 liabilities, of which they had paid £1,000,000 and had carried over £4,000,000. They ought to have the knowledge before them of what their liabilities were, and they should not be left in the dark as to this important matter when asked to vote money for the construction of new ships.

In 1870, the Navy Estimates occupied six nights in discussion, and were completed before the 29th of July. In 1871, 1872, 1873, 1874, 1875, and 1876, four to six nights were expended in the discussion of the Navy Estimates. In 1877, the Navy Estimates took six nights, and were finished before the 18th of June. He thought that it was evident that the ordinary work of the Navy could not be properly discussed in less than five nights. It was now proposed that the Navy Estimates should only occupy one night, and that would not give the House proper opportunity for discussion. The right hon. Gentleman at the head of the Navy should recollect that the audience in the House upon these matters was a select one. But there was another audience outside the House—a much larger number who were deeply interested in all questions concerning the Navy, and in order that the public might be informed upon naval matters they ought to be able to read the debates and to form an opinion, and to see that justice was being done to the many important questions that so much interested the public. If the discussions were brought on at that late period of the night full justice could not be done to the outside public, for full reports could not be given. No one would, therefore, know outside the House what was being done there, and a very great injury was done, not only the Public Service generally, but to the whole of the public interested in naval matters.

Mr. A. F. EGERTON said, that on the last occasion when the Navy Estimates were under discussion, the hon. Member for Reading (Mr. Shaw Lefevre) made an attack upon the whole policy of naval administration since the time he was in Office. The hon. Member alleged that no answer had been given to him; but he would like to tell the hon. Gentleman that in a few days he would see what he thought would be a most conclusive answer. The policy that he complained of during Mr. Ward Hunt's and his right hon. Friend's administration was that they had been in the habit of repairing instead of building ships. He might say that the great object of the Admiralty had been to place upon the water an efficient Fleet. They had not always been able to carry out that programme; but they had done so to the best of their ability. Their complaint against the Liberal Administration was that they did not pay sufficient attention to the repairs of ships; when they came into Office they found a vast number of ships in a very bad state of repair, and they considered it incumbent upon them to put those vessels in good order. He would not go into details at that hour of the night; but he would give one or two figures to show that the results of the present administration had not been such as had been alleged. On the 1st of January, 1874, there were but 16 armoured ships in good order, and on the 1st of January, 1879, there were 26. That was owing to the care which his right hon. Friend had displayed in causing those ships to be kept in proper repair. The House and the country should remember that repairs to ships were of far more importance at this time than they were 20 years ago. An iron ship was practically indestructible, and when they had got her they must make the best of her. It was much better to keep her in proper repair than to allow her to rust away in a corner. On the 1st of January, 1874, there were 27 armoured vessels, and on the 1st of January, 1879, 66 armoured vessels. In unarmoured ships they had, in 1874, 108 in good condition, and in 1879, 150. The wooden ships, in January, 1874, amounted to 81; but in January, 1879, they had diminished to 38, as that class of vessels had practically passed from the Navy. Those figures showed conclusively the results of their administration. The result of their administration had been to put upon the sea Fleets such as had never existed before, and that, surely, ought to be the proper result of good administration. It was said that they had spent more money; but they had got their money's worth, and when the country had measured and considered the results he had given he thought it would be satisfied that they had not spent the money with which they had been intrusted improperly; but that, speaking generally, their Fleets were in much better order than they had ever been before.

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A Supplemental Vote ought to be made in the Estimates of the liabilities that they were incurring, and of the increased cost that had been found necessary in respect of certain vessels. He trusted that when that matter came next before the House they would be able to understand by looking at the figures put before them what was being done. He was sure that the right hon. Gentleman would see that when so much smaller an amount of tonnage was completed than was contemplated it was a most serious thing. He did not intend to go into that matter; but still there was a very great difference between what was completed and what was promised. He thought that the Navy Estimates ought to be placed before them in such a way as an ordinary business man would place before him his own obligations and keep them from time to time before his notice. They would then know what their liabilities were, and be able to understand the questions before them.

Mr. SHAW LEFEVRE wished to say a few words upon the Vote, though he did not desire to enter into the wider question to which he drew attention at the beginning of the Session. As the Admiralty had not been able to make any answer to the criticisms which he then brought forward, he must assume that the truth of them was accepted. He should confine himself on the present occasion to making some remarks on the work performed during the past year in the Dockyards, and compare it with the programme laid before the Committee when the Estimates were last before it. A Return had been laid upon the Table of the House, showing the programme last year as compared with the work performed during the year. That account seemed to him to be very unsatisfactory. He found that it was promised that 13,408 tons of vessels would be completed in the Dockyards during the year. According to the Return, only 10,062 tons had been completed, instead of the much larger number promised; and that notwithstanding the fact that a very much larger number of men had been employed in the Dockyards. It was also noticeable that a very small proportion of the vessels completed were iron-clads. A deduction should be made from that on account of the vessels paid for out of the Vote of Credit. Those vessels had been repaired, their armament had been taken out, and their fittings replaced; while, in the case of the *Superb*, the rigging had been remodelled. When a deduction was made in respect of those vessels it left but a small amount of tonnage for the new iron-clads constructed in the Dockyards. In fact, so little had been spent on building that it might almost be left out of account. It was promised that about 600 tons should be completed in respect of each of the four new iron-clads in course of construction; of one vessel 15 tons had been built, of another 30 tons, and of a third 50 tons, while the fourth was not commenced. As regarded the *Agamemnon*, it was promised that 2,335 tons should be built, but only 997 tons had been completed; 1,625 tons were promised in the case of the *Ajax*, but only 890 tons had been constructed. The *Inflexible* had now been eight years on the stocks, and had not yet been completed. When the present Government came into Office it was one of their principal charges against their Predecessors that they had not made sufficiently rapid progress with the *Inflexible;* and they, accordingly, asked for an additional vote of money to hasten the completion of that vessel. It was promised that during the past year 1,383 tons of the *Inflexible* should be completed, and that the vessel should be off the stocks during the financial year. That had not been done, and the vessel was still in arrear. That was a serious matter, because the *Inflexible* was a vessel of a peculiar kind, and it was most desirable that its completion should be hastened so far as possible, in order that they might have experience of her qualities, and that that experience should be made use of to guide them as to what alterations were necessary in other vessels of the same kind then being laid down. The money which was required to be expended upon the *Inflexible* appeared to have been diverted to making alterations in a vessel called the *Independencia*, and now styled the *Neptune*. When he last addressed the House he referred to the case of the *Independencia*, and the right hon. Gentleman had endeavoured to give some explanation, which, however, did not appear to him to be satisfactory. The *Independencia* was a vessel bought from the Brazilian Government for £614,000, including £44,000 for her armament. The purchase was justified by the Government on the ground that the vessel was a powerful one, and in a position to go to sea at once. If so, there might have been some good reason for her purchase; but no sooner was she purchased than a board of officers in the Admiralty proceeded to condemn her armament. The Director of Naval Ordnance said that he would not be responsible for sending such a vessel to sea. Another board of officers condemned her fittings, and the third board condemned her masts, yards, and other equipments. The result was that that vessel, which was bought at the extravagant price he had mentioned, was sent into the Dockyard, and £34,000 was spent upon her during the past year. He observed that provision had been made for a further expenditure of £14,000 or £15,000 upon her. Thus, £45,000 would be spent in altering and converting that vessel, and in replacing her armament, masts, yards, and fittings. The result was that the £44,000 given for her armament would be entirely wasted. That appeared to him to be a most foolish transaction. If the vessel were ready to go to sea, why was she sent to the Dockyard, and that enormous sum expended upon her? On the other hand, if not fit to go to sea, why was such an extravagant price paid for her, or why was she bought at all? He believed that it would have been far better to have expended the money in hastening on the completion of the *Inflexible.* For a very much less sum of money the *Inflexible* might have been finished; that powerful vessel might have been already at sea, and they would have gained that experience of her qualities which would have guided them in the construction of the other vessels now being built. That appeared to him to have been a most unfortunate transaction, and one of a most serious character. As he had said, during the past year only 10,062 tons of vessels had been built, against 13,000 tons promised, and the falling off had been almost entirely in iron-clads. He would like to go back three or four years, in order to show the gradual falling off there had been in the ship-building in the Dockyards. He would confine himself to making the comparison during the past four or five years that the present Administration had been in Office. In 1875-6, 13,114 tons of vessels were built in the Dockyards, and 16,000 men were employed in the work. In 1876-7, 13,437 tons were built in the Dockyards; and in 1877-8, 12,052 tons were completed. Last year only 10,062 were built, and a larger number of men was employed. They had thus a continued diminution in the tonnage of vessels built, while in each year the same number of men was employed, except last year, when the number of men was increased. The falling off had been principally in iron-clads; but, from the Return before them, he was unable to say how the money which ought to have been expended in building iron-clads had been spent, unless it were expended upon the *Independencia*, the *Superb*, and another vessel. In the Estimates now before them, he found that there was a smaller Estimate for the tonnage of vessels to be built in Dockyards than he could recollect in any previous year. It was proposed to build 12,151 tons of vessels, of which 7,193 tons were proposed to be iron-clads. He should have been glad if the right hon. Gentleman the First Lord of the Admiralty had promised them that the *Inflexible* should be finished; but it appeared that her completion was again to be postponed for another year. With regard to the other vessels proposed to be built, he observed that it was intended to go on with the *Ajax* and the *Agamemnon*, and also to add some work to the *Polyphemus.* With respect to the other vessels it was no use discussing what they would be, considering what little progress would be made with the iron-clads. He believed that it would be better to complete vessels like the *Inflexible*, the *Ajax*, and the *Agamemnon*, instead of doing work upon vessels of less importance. He would not detain the Committee any longer at that period of the night, except to add his protest against the Navy Estimates being brought forward at that time of the Session. The right hon. Gentleman the First Lord of the Admiralty had told them that it was owing to exceptional circumstances; but it was the fact that last year the same thing was done. It was then said that exceptional circumstances were the cause of the delay; but if they went 10 years back, they would find no other instance of the Navy Estimates having been postponed to so late a period.

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Navy Estimates at any length at that time. The hon. Gentleman the Secretary to the Admiralty, in replying to his hon. Friend the Member for Reading, had answered his criticisms by reading figures which were to appear in a future Report. It would be necessary to have that Report before them prior to answering the inferences which had been drawn from it. But he might observe that the Report was one which had not been moved for by any Member of the Government, but by the hon. Member for Stafford. They were at a great disadvantage in arguing upon matters with which they had been unconnected for five years; and, at last, they were met by a Report with which they were totally unacquainted. That was not a fair way of dealing with the charges made by his hon. Friend; and he thought there was very good reason to complain of the manner in which his hon. Friend the Member for Reading had been dealt with.

Mr. W. H. SMITH was surprised that his right hon. Friend should raise any objection to the facts which had been mentioned. He did not think that more reliance was placed upon those facts than upon any others bearing upon the subject. The Returns had been compiled by responsible officers, and it was not fair to cast a doubt upon them.

Mr. GOSCHEN said, that he had great confidence in the gentlemen employed in the Admiralty; but the gentlemen who were responsible during the period with which the Returns dealt were no longer there.

Mr. W. H. SMITH said, that the right hon. Gentleman was mistaken in supposing that the Admiralty officers who compiled those Returns were not able to state accurately the facts of the previous administration of the Navy. He thought it unfortunate that they should have got into a discussion of what was done by the present or the late Government, or that the Navy should be made the subject of a Party fight. He could say that the funds which the present Government had had placed at its disposal had been made the best possible use of in the interest of the country. He was prepared to go in detail into the work which they had done. Of course, they were as liable as other persons to commit errors of judgment, and he should be the last to set up any claim for infallibility on the part of the Government. He believed that the work which the Government had carried out had been, on the whole, well done. With respect to the *Independencia*, she was purchased because she was a very powerful vessel, and could have been used if necessity had arisen. It would have been a serious breach of duty on his part to have allowed that vessel to pass into other hands. With respect to the armament, he was most anxious for the ship to go to sea with her original armament. The Whitworth gun had been landed and tried for endurance at Shoeburyness, and it had been pronounced to be unfit for service. He was told that it would not be right to allow the vessel to go to sea with less powerful guns than 38-ton service guns. He was, however, sorry that an opportunity had not arisen for testing the Whitworth gun at sea. The work that had been done on the vessel was necessary and was desirable to increase the strength and efficiency of the Navy. And that remark applied not only to the work that had been done on the *Independencia*, but on the other vessels which had been put in good order and made fit for sea. Then, with regard to the *Inflexible*, the *Ajax*, and the *Agamemnon*, he might say that he was entirely responsible for the delay which had taken place in the completion of the *Inflexible*. He did not wish to press on the work in that and the other two vessels before the questions which had been raised in that House with regard to them had been decided. Some part of the delay was attributable to the fact that it was thought desirable to arm those vessels with more powerful guns than was first intended. Then, the consideration of the armour to be given to the turrets of the *Inflexible* had, to a certain extent, delayed it. The hon. Gentleman the Member for Reading had assumed that, because no answer had been given to his statement, it was impossible to answer it. He was not going into a discussion at that time; but whenever a proper opportunity arose to discuss the question the Government had a good answer to make. Some remarks had been made with reference to Hong Kong. The work done at that Dockyard was of a very valuable character, and of much benefit to the Navy. The hon. Member for the Tower Hamlets (Mr. Samuda) had referred to the accounts of the Navy, and had asked that better Returns should be laid before the House. He fully admitted that the accounts were exceedingly difficult to understand, and he would consider whether any better information could be given in another form. If he could see his way to adopt any plan of estimating for the cost of ships other than the present complicated system he should prefer it. With regard to the cost of the work at Hong Kong, he might observe that it was very much cheaper than the work done in this country. It would put the country to a large additional expense if they were obliged to send all small gunboats home to be repaired; and great saving was effected by having about half of the gunboats repaired at Hong Kong.

Sir WILLIAM HARCOURT was very glad to hear from the right hon. Gentleman the First Lord of the Admiralty that he disapproved of Party attacks upon the administration of the Navy. He was very glad to hear that, because it was an entirely new view of the course that ought to be adopted. They had heard a great many attacks made by hon. Gentlemen on the other side of the House upon the policy of their Predecessors. The moment that Parliament adjourned, the Financial Secretary went down to Lancashire and made strong criticisms upon the naval policy of the late Administration. Then, when his hon. Friend the Member for Reading answered the attack in that House, it was said—"I can't answer it now, but I will enter into it another day." What the hon. Gentleman the Financial Secretary, in effect, said, was—"I will go down to Lancashire and make another speech, but I will not make it in the House of Commons, where I can be answered." Although they were in Supply on the Navy Estimates, yet the Government did not consider that that was the proper time to answer criticisms upon their policy. It was 20 minutes past 2 in the morning, and it was said there was no time to enter into these matters. The Government went on extolling its own doings; but when anything was said the answer was—"Oh, let us have no Party recrimination." Why, they had been for five years living upon attacks made upon the naval policy of their Predecessors. Perhaps the hon. Gentleman would enter into the matter when he returned to Lancashire, after the Session was over. ["Hear, hear!"] The hon. Gentleman might cry "Hear, hear!" from the Treasury Bench; but why did he not answer in that House the observations of the hon. Member for Reading? That was the way in which the Government conducted its Party defence against Party attacks. He was convinced that when the matter came to be examined it would be found that the Gentlemen who complained of a phantom Fleet before now had a Fleet of an even more shadowy description, but at much greater cost. They had been challenged fairly enough by the hon. Member for Reading to show the results of their administration. They had said we will not go into the matter now, but, probably, when Parliament was up, the hon. Gentleman the Financial Secretary would go down to Lancashire, where he could not be answered, and say all he had to say upon the matter. He had no doubt they would have a most admirable speech in Lancashire. It was most unfortunate, also, that questions like the functions and administration of the Navy should be disposed of at an hour of the morning when neither the House nor the country could know anything about it.

Mr. W. H. SMITH wished to say that they were perfectly prepared to discuss the questions which had been raised by the hon. Member for Reading. He had understood that the hon. Gentleman did not desire that the question should be discussed at that time in the House; but he was perfectly ready to meet the challenge if it were wished. He had not intended to read some Papers which had been prepared with reference to the comparative results of the administrations of the present and the late Governments. As, however, he had been so distinctly challenged, he would read the figures contained in those documents. He might say that the result of those figures was to show, by using the same kind of tonnage for the two periods, that in five years the Conservative Government had built 23 per cent more than was constructed in the same period by the Liberal Government. The amounts given in the Parliamentary Paper just presented were expressed in tons, builders' measurement, for the five years from 1869 to 1874, and in tons, weight of hull, for the subsequent five years. Using builders' measurement, it was found that from the 1st of April 1869 to the 1st of April 1874, there were built of armoured vessels 29,423 tons in the Dockyards, and 21,439 tons by contract, the total of armoured vessels being 50,862 tons. Then, of unarmoured ships, there was built between 1st April 1869 and 1st April 1874, 37,579 tons in the Dockyards and 10,343 tons by contract, making a total of 47,992 tons. Thus the total amount of tonnage completed in the five years was 98,784 tons, of which 67,002 tons were built in the Dockyards, and 31,782 tons by contract. From the 1st of April, 1874, to 1st of April, 1879, there were built in the Dockyards 36,354 tons, and by contract 11,036 tons, making a total of 47,390 tons of armoured vessels. Of unarmoured vessels built in the Dockyards, there were 38,945 tons, and by contract, 35,301 tons, making a total of armoured vessels built in the five years of 74,246 tons. Thus, the total amount of tonnage, both armoured and unarmoured, completed between 1874-9 was 121,636 tons, of which 75,299 tons were built in the Dockyards, and 46,337 by contract. Therefore, during the last five years, the present Government had built 23 per cent more tonnage of vessels than the Liberal Administration in the preceding five years. He might state that, in 1877-8, a total of 19,647 tons was added to the Navy by purchase out of the Vote of Credit; of that amount 14,808 tons were of armoured shipping, and 4,839 of unarmoured shipping.

Mr. GOSCHEN said, that they were under very great disadvantage in testing the Return which had been brought before the House by the right hon. Gentleman. The Return before the House estimated the amount of shipping in tons, builders' measurement, for the late Government; but in ton weight of hull for the present Government. There was no means of comparing the ton weight with the builders' measurement. Could the right hon. Gentleman give them any *data* by which they could compare the different Estimates?

Mr. W. H. SMITH said, that he could not give the information that the right hon. Gentleman wished. He placed implicit reliance upon the accuracy of the figures which had been compiled by officials who had been appointed by the right hon. Gentleman himself.

Mr. GOSCHEN said, that upon the evidence of the Comptroller, who was a personal friend of his, he placed implicit reliance. But it was upon the results of the figures that the question arose. A conversion had been made from builders' measurement into ton weight, and the right hon. Gentleman the First Lord of the Admiralty did not know any relation between the two. They had one Return presented to the House by one of the Members of the Admiralty in ton weight and another in builders' weight; and the Admiralty were unable to inform the House of Commons what was the relationship between those two sets of calculations. Five years ago he would have answered any questions put to him by hon. Members upon that subject. He would again assert that if a Return had been presented by him in the manner in which the present had been framed, and explanations were not forthcoming, he should have considered it necessary to have given them to the House; but the right hon. Gentleman would not adopt that course. He was entirely in his right in asking, and he thought the House would be wrong if it did not ask the right hon. Gentleman to inform them how those terms had been converted? The right hon. Gentleman must be aware that it made a very considerable difference. The hon. Member for Reading had made a comparison between the results of the past and present administration of the Navy according to the figures that were in use when they were at the Admiralty; but the official Return now quoted by the right hon. Gentleman the First Lord of the Admiralty was prepared on a different system of calculation. They were unable to follow each individual ship, and they were therefore unable to follow that Return. They could not really make any progress in understanding the figures put before them until they knew how they had been converted. He was, of course, aware of the difficulty of discussing those questions at that time of the night; they had sat there very patiently while matters of much inferior importance were being discussed, and he must apologize to the Committee if he had allowed himself to be carried away by feeling too strongly the importance of the subject.

Mr. PARNELL asked if the right hon. Gentleman the Member for the

City of London (Mr. Goschen) could tell the Committee the difference between builders' measurement and ton weight? Perhaps that would be a good opportunity to discuss the question of Reserve men, with which the right hon. Gentleman had alleged himself to be acquainted.

MR. SHAW LEFEVRE said, that before they entered into a discussion upon the subject alluded to by the hon. Member for Meath (Mr. Parnell) he must express his surprise that the Returns from which the right hon. Gentleman the First Lord of the Admiralty had quoted had not been laid upon the Table of the House in time for a fair discussion to take place upon them. They ought to have known that those Returns were to be presented to the House. He could not but think that those Returns had only been drawn up in order that they might be used by the hon. Gentleman the Financial Secretary to the Admiralty in Lancashire during the coming Recess. He agreed with the observations that had been made by the right hon. Gentleman the First Lord of the Admiralty as to the undesirability of making the Navy the subject of a Party fight. He only trusted that those observations were addressed by the right hon. Gentleman to his own Secretary, and that he would mark and digest them. During the last Recess the hon. Gentleman the Financial Secretary to the Admiralty had taken the opportunity of making grave charges against the Naval Administration of the late Government. With reference to the Returns, from which quotations had been made, there were great differences between the figures there given and the calculations which he had made. He did hope that the Government would give them such information as would enable them to compare the builders' measurement with the weight in tonnage, and in that manner to be in a position to verify the calculations.

MR. E. J. REED said, that with regard to the Whitworth guns there was a very important question as to their penetration of a vessel under water. They had hoped and expected that an opportunity would have arisen in the case of the *Independencia* for that question to be tried, and the ground of their complaint was that it had not been tried.

MR. D. JENKINS maintained that gunboats could be brought home for repair instead of being repaired abroad with greater efficiency to the Public Service; instead of that they were left to lay for nine-tenths of their time in the Chinese rivers. In his opinion, a great number of those gunboats could be brought home, to the great advantage of the crews and to economy in the Public Service. The charge for the number of men employed at the Dockyard at Hong Kong was very much greater than the expense incurred for a like number of men in the Home Dockyards.

MR. A. MOORE moved to report Progress, as he thought that the subject had not been thoroughly discussed, and that it could not be adequately discussed at that hour.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Arthur Moore.*)

CAPTAIN PIM observed, that hon. Members interested in Dockyards, and in nautical matters, had come down that evening to discuss questions upon the Naval Estimates, and it would be inconvenient to have the discussion over again. He thought that it would be highly desirable to take the Vote then.

MR. A. MOORE said, that the hon. Member seemed to think that the subjects under discussion were only interesting to a section of hon. Members. He, in common with several of his hon. Friends near him, took a very great interest in the questions that would arise in connection with Vote 13.

MR. W. H. SMITH said, that they did not intend to go as far as that Vote. He thought that, after the discussion they had upon the present Vote, they might reasonably come to some decision upon it.

MR. A. MOORE would be satisfied if Progress were reported when they reached Vote 13.

MR. GOSCHEN suggested that those Votes upon which questions were not raised should be taken, and that they should report Progress when they arrived at those Votes upon which discussions arose.

MR. W. H. SMITH expressed his willingness to adopt that course.

MR. E. JENKINS said, that the questions raised in connection with the Dockyard at Hong Kong deserved the attention of the Admiralty. £11,500 was voted in respect of the officers to look after 53 men; and there was one policeman for every 10 men. The Commodore in charge of the Yard got £1,488 a-year. In all probability, the duty of the Commodore consisted in walking about with a telescope under his arm and swearing at the men. He thought that it was clear that there were a number of officers in that Dockyard that were not required. He did not think that in an establishment of 312 men only so much as £1,100 should be paid to the officers. He thought the expenses of that Yard were a subject to which the Government might look with advantage.

Mr. E. J. REED thought that his hon. Friend the Member for Dundee was unacquainted with the circumstances connected with the Hong Kong Dockyard. The Commodore was not a resident in the Dockyard, but had other duties to perform as Senior Resident in the Port of Hong Kong. His hon. Friend was wrong in supposing that the establishment consisted only of 312 men. When work was required to be done at Hong Kong the whole of the carpenters of the Fleet landed and performed the work under the superintendence of the Dockyard authorities. From his personal observation, he could affirm that the Commodore did not walk about with a telescope under his arm, as the hon. Gentleman had imagined.

Motion, by leave, *withdrawn.*

Major NOLAN complained that they had no Dockyards in Ireland. Out of £11,000,000 spent in Dockyards, only £1,300 was expended in Ireland. The sum spent upon Dockyards in Ireland was really contemptible. It was a great injustice to Ireland that that should be the case, for he had always considered that there was no strategical reason for it. Some of the ports on the West Coast of Ireland would be much better adapted for Dockyards than any in England. There was so great a difference between what was spent in Ireland on those matters and the amount spent in the other two countries that he only wondered that Irish Members had not made a greater stand upon the question than they had done.

Original Question put, and *agreed to.*

Mr. E. Jenkins

(6.) £76,570, Victualling Yards at Home and Abroad, *agreed to.*

(7.) £67,030, Medical Establishments at Home and Abroad, *agreed to.*

(8.) £21,408, Marine Divisions, *agreed to.*

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £1,030,000, be granted to Her Majesty, to defray the Expense of Naval Stores for Building, Repairing, and Outfitting the Fleet and Coast Guard, which will come in course of payment during the year ending on the 31st day of March 1880."

Captain PIM asked the right hon. Gentleman the First Lord of the Admiralty to postpone the consideration of that Vote, as some questions arose in connection with it.

Motion, by leave, *withdrawn.*

Motion made, and Question proposed,

"That a sum, not exceeding £566,749, be granted to Her Majesty, to defray the Expense of New Works, Buildings, Yard Machinery, and Repairs, which will come in course of payment during the year ending on the 31st day of March 1880."

Whereupon Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. William Henry Smith,*)—put, and *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow,* at Two of the clock;

Committee also report Progress; to sit again *To-morrow,* at Two of the clock.

EAST INDIA LOAN (CONSOLIDATED FUND) [ANNUITIES].

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to authorise the Commissioners of Her Majesty's Treasury to raise a sum or sums of money, not exceeding in the whole £2,000,000 sterling, by the creation of Three Pounds per Centum per Annum Permanent Annuities, chargeable on the Consolidated Fund of the United Kingdom, for the purpose of making a Loan to the Secretary of State in Council of India.

Resolution to be reported *To-morrow,* at Two of the clock.

BANKRUPTCY LAW AMENDMENT (*re-committed*) BILL [*Lords*].

(*Mr. Attorney General.*)

[BILL 254.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That this House will, upon Saturday, resolve itself into the said Committee."

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at Three o'clock.

HOUSE OF LORDS,

Friday, 1*st August*, 1879.

MINUTES.]—Public Bills—*First Reading*—East India Loan (Consolidated Fund) * (172).
Second Reading—Lord Clerk Register (Scotland) * (164); Border Summons * (170).
Committee — *Report* — Petroleum Act (1871) Amendment (161).
Report—Industrial Schools (Powers of School Boards) * (153).
Third Reading—Summary Jurisdiction * (162); New Forest Act (1877) Amendment * (149), and *passed.*

LUNACY INQUIRY (IRELAND) COMMISSION.

QUESTION. OBSERVATIONS.

Lord O'HAGAN, in rising to call attention to the Report of the late Irish Lunatic Inquiry Commission; and to ask a Question, said: My Lords, some time ago, I ventured to make a statement to your Lordships — perhaps, at too great a length—as to the miserable condition of some thousands of imbeciles and idiots amongst the poor of Ireland, and I presented a Bill designed for the improvement of their condition. On that occasion my noble Friend opposite (the Duke of Richmond and Gordon) promised, on behalf of the Government, that the subject should receive their prompt attention, and, feeling that it would so be dealt with more effectually, I withdrew the Bill. I am bound to say that the undertaking was not forgotten. A Commission was issued to inquire generally as to Lunacy in Ireland; the Commissioners were very competent and able men, and they have produced a masterly Report, giving proof of great industry and conscientious care, and containing a large mass of important information. It concluded with wise and humane suggestions. So far, useful progress has been made; but months have elapsed, and I am not aware that anything has been done to carry those suggestions into practical effect. Your Lordships will, therefore, perhaps, forgive me if I invite your attention to them, and indicate in a few words the pressing importance of adopting, with such modifications as may seem desirable, the beneficial changes which are made imperative by the lamentable state of multitudes of our fellow-beings. Let me ask the attention of the House to the case of neglected lunatics in Ireland. It is the most pressing, as it is the most deplorable. In the year 1857 a Royal Commission ascertained that there were 3,352 lunatics at large, of whom no fewer than 1,583 were returned as "neglected." And this Report informs us that within the last 20 years the number of that class increased by more than 100 per cent—from 3,352 to 6,709—without, in the opinion of the Commissioners, "any diminution in the proportion of those who may still be classed as neglected." So that, at this moment, there would appear to be 3,352, "neglected lunatics" in Ireland. What is the life of these wretched people? How does it affect their families and the country around them? Your Lordships will best understand the answer from the details of an individual case described in a letter which is contained in the Report of the Inspectors of Lunacy, and embodied in the Report of the Commissioners—

> "On approaching a small farmhouse at a place called——— near——— in the county———, I heard a most peculiar howling noise, and, to my horror, when I came near the house I saw a lunatic stark naked, confined to a room and looking through the wooden bars that closed the windows, for there was no glass whatever. He is about 19 years of age, and I heard from his mother that up to 10 or 11 years he was a most intelligent boy; but at that age he suddenly lost the power of speech and became moody and abstracted, wandering about the fields alone, and constantly uttering a low muttering noise, and with incessant tendency to mischief. By careful watching the family prevented him injuring himself or others, until, of late, he has got so strong and unmanageable, and his inclination

for destruction is so great, that they have been obliged to confine him in the room I have described. He breaks the window directly it is glazed, tears his bedclothes into shreds, and will not allow a stitch of clothing to remain on his body; besides, his habits are most disgusting. It is really a sad case, and the more so as there are two grown-up sisters in the house."

Now, my Lords, this is only one of nearly 4,000 cases, which may be better or worse according to the circumstances, but none of which are protected by any intervention of the law from exhibiting themselves in as shocking an aspect. The Commissioners themselves state the results of their own observations in very startling words—

> "We took occasion, ourselves, to visit several of these cases in different parts of the country. Some of them we found in a deplorably neglected condition; others disturbing the arrangements of a whole family, the head of which would willingly contribute a small sum towards maintenance in some suitable place of refuge. It admits of no doubt that many a case, if taken in hand at an early stage, might have been restored to society instead of lapsing into hopeless incurable insanity. Serious evil often results from the freedom with which idiots of both sexes are permitted to wander abroad, often teased and goaded to frenzy by thoughtless children, often the victims of ill-treatment or the perpetrators of offences far worse."

Surely such a state of things should not be permitted to continue, and especially as it may be mitigated, even if it be not removed. The legislation of Ireland is sadly behind that of England in this unhappy matter. In both countries—as, indeed, throughout the world—there was long a grievous indifference to the most afflicted of the human race. Only when the life of George III. was threatened by a lunatic in England did Parliament interfere, and send the insane to gaols. Only in 1838, when it was discovered that gaols were not fit receptacles for them, was provision made for committing them to asylums; and only in the Consolidating Act of 1853 were provisions made for such inspection and report as were needful for their protection and the safety of their neighbours. I lament to say that Ireland was left without even the benefit of the Act of 1799 until 1838, and that the advantages which the Act of that year gave to England were not extended to her lunatics until 1867; whilst you will scarcely believe that the salutary reforms of 1853 have not to this hour been made operative in Ireland. On this, the Commissioners observe in their Report—

> "The interests of the public, no less than of the insane, require that means should be adopted to ascertain that all of that class are properly cared for. This can only be done by substituting the visit of a medical man for that of the constable, and a professional report for the incomplete return that is now made. If it were the duty of the dispensary medical officer to visit and report upon the condition and treatment of every 'lunatic' within his district, as it is the duty of district medical officers, in consideration of a moderate fixed remuneration, to visit and report upon the condition of pauper lunatics in England, incalculable benefit would be conferred both upon the patients and the general public. The visit of the medical man, instead of being received with suspicion or hesitation, would be welcome as that of a friend, in most cases known to the family, to whom all necessary information would be freely communicated. By such means, too, the statistics of lunacy at large might be made as complete as are those of the asylums."

My Lords, need I say more to press on the consideration of this House and of the Government the absolute necessity of applying a remedy to an evil so enormous—and this, especially, when such a remedy has been applied, and applied successfully, to a large extent in this country? The want of identical legislation, when the needs and conditions of England and Ireland require and justify it, is of incalculable mischief. A Bill which your Lordships passed yesterday evening, affording to the commercial community in Ireland the protection which England obtained in a former Session, illustrates that mischief; but the disparity in the matter with which I am dealing now is far more unwarrantable and of far greater evil. I do not mean to detain the House; but I must entreat the Government to give speedy consideration to the general recommendations of the Report which affects nearly 20,000 lunatics. They propose the classification of asylums for the purpose of curative treatment, the care of chronic cases, and the allocation of workhouses as auxiliaries for the benefit of the quiet and harmless amongst the insane. These, and other suggestions, they urge with great force and persuasiveness, and they very emphatically remark that there is no hope of effective change except through the interference of the Executive. They point to the recommendations of the Royal Commission of 1857, and a Committee of the House of Commons in 1858, largely identical with their own, and show how they have been equally disregarded. I trust that it may not be so again. I think that this earnest counsel of men of high authority, backed by the evidence of most faithworthy witnesses, and capable of being followed with facility if attention be only given to it, will not again be neglected and contemned. The Commissioners and the Inspectors of Lunacy differ as to material points on the *modus operandi.* The Inspectors desire the extension of the district asylums. The Commissioners do not agree with them, and that extension is suspended. I cannot judge between them. The Inspectors are men of high position and large experience, and the Commissioners have every title to be favourably heard. But no time is to be lost in settling the controversy. The poor lunatic suffers whilst it is not authoritatively settled, and I trust and hope that the Government will recognize the responsibility this Report unquestionably casts upon them, and take such measures as will do away with the social mischief which it so painfully discloses. I conclude, my Lords, by asking whether any proceedings have been taken or resolved on to carry into effect the suggestions of the Commissioners?

The LORD CHANCELLOR: I am not surprised that my noble and learned Friend has referred to the Report of the Commissioners. The subject is certainly a very important one, and the Report is a very voluminous document. It occupies over 100 pages, and there are some 200 pages more of Appendix, containing evidence and other information. The subject which this Report travels over is about the most difficult that can be dealt with. It includes the question of the administration of the Poor Law, the best mode of treatment for curable lunatics and of those unhappy classes, incurable lunatics and imbeciles; and there is underlying the whole the important question of finance. It is further complicated, I am sorry to say, by a certain amount of difference of opinion between the public functionaries who have been investigating the subject. I would only say, in answer to the Question which my noble and learned Friend has asked, that the Report was made in February last, and has engaged, and will continue to engage, the most anxious attention of Her Majesty's Government. I trust it will not be in the category of those Reports which have gone before and have produced no result, and that the Government may be able, before long, to see their way to act upon some of the recommendations of the Commissioners' Report. I am not able to give my noble and learned Friend any further answer than that at the present moment.

THE LATE PRINCE IMPERIAL.

MOTION FOR PAPERS.

The Earl of DUNRAVEN: My Lords, I rise to ask the Question which stands in my name, and to move for copies of certain documents, because I think it is a fitting time for your Lordships' House and the country to have some information concerning a subject which has exercised men's minds to a considerable extent for some time, and has excited a good deal of feeling throughout the country. It is exactly a month since my noble Friend on my right (Lord Truro) asked a Question in this House concerning the position of the late Prince Imperial, and made, at the same time, certain remarks about the conduct of affairs in South Africa. My noble Friend opposite the Under Secretary of State for War, in his reply, commented rather severely upon the tenour of the noble Lord's speech. He said he thought it was a pity that the noble Lord should take advantage of his privilege of free speech to throw broadcast, without proof, without waiting for reliable information, his censures as he had done, loud and long, and couched in almost violent language; and this, he said, the noble Lord had done on nothing better than the irresponsible statements of journalists. I hope I shall not be betrayed to use any language that might be described as almost violent; but if I am to wait to exercise my privilege of free speech until we have some information from Her Majesty's Government I might as well abandon my right of free speech altogether. We have had since then the newspapers full of these "irresponsible statements of journalists;" but not one word of responsible and reliable information from Her Majesty's Government. The position which the Prince Imperial occupied with our Forces has been, and is, involved in a good deal of obscurity. The noble Lord, on the occasion to which I have alluded, asked whether the Prince Imperial was in command on the 1st of June. In his reply to the noble Lord, the Under Secretary of State for War said that the Prince Imperial could not have been in command, because he could not bear any commission from Her Majesty; and he added, in the same speech, that he could not have been in command, because he was in the presence of an officer a great deal senior to him. Either one of these statements taken alone might be considered good, though not conclusive evidence, that the Prince Imperial was not in command. It would not be conclusive, because it is quite possible that an officer might be, under certain circumstances, put over the head of an officer senior to him, and it is conceivable that an individual not bearing the commission of Her Majesty might be in command of a party. Taken together, the two statements afford no proof whatever. If the Prince Imperial held no commission or appointment, he could not have been in the presence of an officer senior to him. He might not be the junior of that officer; but he might have held some appointment or commission. The noble and illustrious Duke (the Duke of Cambridge) read two letters in your Lordships' House—one from Lord Chelmsford, the other from Sir Bartle Frere. The letter from Lord Chelmsford is the only one that concerns me at present. It was to the effect that the Prince Imperial was anxious to serve with our troops in South Africa; that Her Majesty's Government would not sanction that; but that he had the sanction of the noble and illustrious Duke's writing to Lord Chelmsford to recommend the Prince Imperial to him. He was recommended to enable the Prince Imperial to see as much service as he could with our troops in the field. At the same time, he was told to take care of the Prince Imperial. It is obvious that the object of Her Majesty's Government, in not allowing the Prince to serve with our troops, was to guard against his running a certain risk; but, with all respect for the accumulated wisdom of Her Majesty's Government, certainly the means they took were not calculated to carry out the aim they had in view. They allow the Prince Imperial to go out as an irresponsible individual. It would have been wiser, I think, if they had attached him to Lord Chelmsford in some definite capacity. If they had allowed that, it would have been possible for the Commander-in-Chief in South Africa to have prevented him running any false risks which it is very natural and unavoidable that a young and brave man would run in his desire to see some active service, especially in such a campaign as was waged in South Africa. Lord Chelmsford was given a task which it was impossible for him to fulfil. As a matter of fact, we know Lord Chelmsford did attach the Prince Imperial to his personal Staff. The Secretary of State for War read extracts from two private letters, and from one official letter, from Lord Chelmsford stating that he had made the Prince Imperial an extra *aide-de-camp*, and the Secretary of State for War in "another place," and the Under Secretary of State for War in this House, stated that that was probably done to enable the Prince Imperial to draw forage and food. We do not know what that was probably done for. We want to know what it was done for. I think it would be interesting to your Lordships to see a copy of the orders by which the Prince Imperial was attached to the Staff of the General commanding in South Africa. I am quite aware that it is customary, when a non-combatant and civilian is allowed to accompany the Forces into the field, to give him certain facilities and a certain position. He is allowed to pass freely within the lines, and is usually offered the rank of lieutenant, or captain, or some rank suitable to him, to enable him to draw forage and rations; to be billeted if there are any quarters to be billeted for; to have facilities for transportation, and so on. But there the matter ceases. The individual so treated cannot be called upon to perform any kind of military duty. The authorities cannot demand his services in any way. The authorities are not responsible for his well-being or his life in the smallest degree. If that was the position occupied by the late Prince Imperial, it is well that your Lordships and the country should know it for certain, and at once; for, in that case, nobody is responsible for the Prince Imperial, and the country would learn with a sense of relief that no British soldier or officer was responsible for him; and that, consequently, there has been no neglect of duty. Unfortunately, it does not appear certain that the Prince was a mere spectator.

It is quite possible for a civilian to be employed in a definite capacity. Your Lordships will excuse my being personal; but I would say that I know that from my own experience. I had the honour of accompanying an English expedition in the field. I had left the Service and was a civilian; but I was attached to the Quartermaster General in a definite capacity. My services were at the disposal of the Quartermaster General, and he was entitled to command them; and he was responsible for my life in the same way that any officer is responsible for the lives of those subordinate to him. It appears to me that that was the position occupied by the late Prince Imperial; and, if so, I want to know who was responsible for him? It has been rumoured that the late Prince Imperial was given some command in some Native or Colonial Force. I have no idea whether there is any truth in that report. If not, it would be well that it should be authoritatively denied by Her Majesty's Government. Well, then, we know that the Prince Imperial was transferred from the Staff of the General commanding in South Africa to the Quartermaster General's department. We have a telegram from Lord Chelmsford saying that the Prince was, on the 1st of June, acting under the orders of the Assistant Quartermaster General. It would be interesting to see a copy of the orders by which the Prince Imperial was transferred from Lord Chelmsford's Staff to the department of the Quartermaster General. It appears to me that the statement which has been made in both Houses, that the late Prince Imperial was a mere spectator, is quite incompatible with the fact that he was appointed an *aide-de-camp* of Lord Chelmsford's Staff, and that he was employed by the Assistant Quartermaster General to do a specific duty—namely, to fix a locality for a camp. Is it possible for a man to be an *aide-de-camp* without being liable to perform military duty? I would wish to consider principally the position occupied by the Prince on the 1st of June. We have had various statements, some made by Lieutenant Carey, by the troopers who formed part of the escort, and by Colonel Harrison. It has been said that the Prince gave the word of command which was obeyed by the troopers; that he disregarded the advice of Lieutenant Carey when he was urged to wait for the Basutos who were to have formed part of the escort, when he was recommended to alight and off-saddle on the ridge instead of in the exposed position where he did off-saddle, and when he was advised to leave; and we know that the Prince carried written instructions which were lost with him. In order to clear up the matter surrounding the Prince's position on the 1st of June, I moved for copies of the orders or instructions on which the Prince Imperial was acting on that day. The position of Lieutenant Carey was also very doubtful; and it is scandalous that there should be any uncertainty about a matter of such importance. It has been stated that he was in command of a reconnoitring party; that he was in command of an escort; and that he was present merely as a volunteer, because he knew the ground well, having been over it before. There is one very simple method of solving all these difficulties; that is for the Government themselves to lay upon the Table a copy of the orders which were given to Lieutenant Carey on the 1st of June. If Lieutenant Carey was not detailed for duty on orders, either the statement that he was present as a volunteer is correct, or the campaign in South Africa has been conducted in a manner very different from that in which warlike operations are invariably conducted by civilized nations. Further, I move for copies of the charges upon which Lieutenant Carey was arraigned. I presume that the proceedings of the court martial have been now for some time before the Judge Advocate General, and that there can be no difficulty in giving your Lordships information as to the charges. It is obvious that there are two charges upon which he may have been tried—neglect of taking proper precaution, and misbehaviour in face of the enemy. The whole thing depends, of course, upon the position which Lieutenant Carey held. If he was in command of a reconnoitring party, then he was to blame for not taking the ordinary precaution which a man would take if he was at all acquainted with savages and their mode of carrying on war. If he was in command of the escort merely, he cannot be held accountable, because he would be entirely under the orders of the Prince Imperial, and would no more have dictated to the Prince than an officer of one of the Household Cavalry Regiments, commanding an escort accompanying Her Majesty to a *levée* at St. James's Palace, could dictate to Her Majesty as to when she was to go, or when she was to leave. If Lieutenant Carey was a mere volunteer, still less, in that case, could blame attach to him. From all that can be gathered, it is quite certain that no danger whatever was apprehended. Smaller bodies of men had traversed the country in security. Basutos were scouting on the other side; General Marshall's Cavalry were close at hand; Colonel Wood's camp was only one mile distant; General Newdigate was at a distance of only four miles. The smallness of the escort shows that no danger was apprehended. The party had unsaddled and tethered their horses; their carbines were not even loaded; and it appears that the expedition was looked upon more in the light of a military pic-nic than anything else. If, therefore, Lieutenant Carey is to blame for not having taken proper precautions, it appears to me that at least an equal amount of blame attaches to the officer, whoever he was, who allowed the Prince to go out under such mistaken notions, and with such an inadequate idea of the danger that he incurred. If Lieutenant Carey has been tried for misbehaviour, that is quite another matter. We know enough about the circumstanees to be able to form some idea of the nature of the surprise. The horses, as I have said, were unsaddled and tethered; the men were cooking, and were scattered about the place, resting themselves. The alarm was given, and the command to mount was ordered with such precipitation that, according to the statements of the troopers, scarcely any one of them had time to get into his saddle properly. It appears as though each man threw himself on his horse, and made his escape as speedily as possible. Is it conceivable that any officer, under such circumstances, could have rallied his men in a few minutes, and could have been aware of what was going on about him, even if it had been his duty to rally and halt them. If Lieutenant Carey were in command of a reconnoitring party, it clearly was not his duty to offer any resistance. The duty of a party employed in feeling for the enemy is to carry information of their presence the moment that you feel them. It might be impossible to judge of the number of the Zulus. They might have been in force; and if they had been in force, and the little party had lost their lives, the result might have been a surprise, and, possibly, the destruction of the troops in the neighbourhood. I would ask your Lordships to pay special attention to the fact that it is not the duty of a reconnoitring party to stop and fight, but to get out of the affair as soon as possible, and convey the intelligence to the first body of troops. Besides, my Lords, we have been told that the Prince Imperial was merely a spectator. If that be the case, it would surely have been most culpable for Lieutenant Carey to have imperilled his life, and the lives of his men, and consequently to have endangered the safety of the camps and the troops in the vicinity, for the sake of endeavouring to save the life of a mere spectator, however exalted the rank of the spectator might be, and however peculiar the circumstances surrounding him. That is the real difficulty of this question. It is almost impossible to look at it with perfectly impartial eyes. The position of the individual who there lost his life is so peculiar that men's minds are indefinitely influenced by it. It is not easy to find a single life regarded with the utmost affection of which the human heart is capable, calling forth the deepest friendship of friends and comrades, around which, at the same time, cluster and cling all the hopes and aspirations of a great Party of a great nation; and it is not unreasonable to suppose that Lieutenant Carey's case has been somewhat prejudiced on that account. As a matter of fact, it appears to me to have been prejudiced in various ways. He was removed from his Staff employment. Previous to the Court of Inquiry and the court martial, statements, prejudicial to him, have appeared in the newspapers. *The Times* published a letter, some little time ago, signed, "One present," and written from the Army and Navy Club, comparing Lieutenant Carey's conduct with that of another officer, under what might be considered to be similar circumstances. The circumstances were not at all similar. The ignorance of the writer on military matters was only equalled by his want of decency in attempting to prejudice the public mind against a man awaiting his trial. The circumstances were not at all similar, and no comparison could be made. But, unfortunately, the general public are so ignorant of military affairs that they cannot fail to be prejudiced by such a letter. Moreover, the Prime Minister, speaking in this House, made use of an expression which I fear may have tended to prejudice Lieutenant Carey's case. The noble Earl at the head of Her Majesty's Government said that the life of the Prince Imperial had, in his opinion, been so "needlessly and cruelly sacrificed." I understood the noble Earl to mean by that word "needlessly," that so valuable a life, one which had such great possibilities before it, had been sacrificed for no great object, and with no adequate results; but it is obvious that another meaning could be attached to the word, and I fear that many of those who naturally weigh and ponder the words of a Prime Minister might think that the noble Earl considered that his life might and ought to have been saved by those who were present. Moreover, the newspapers, in speaking of the matter and writing of the Court of Inquiry and court martial, made constant allusion to the late Prince Imperial, to the inquiry into all the circumstances attending his death; but made scarcely any mention whatever of the two troopers who lost their lives on the same occasion. This cannot fail to make people think that if it had been merely a question of the lives of those two troopers, possibly the affair would have attracted no attention whatever, and Lieutenant Carey would not have been blamed to the extent that he has been. There is some danger that the public mind may be prejudiced against Lieutenant Carey. There is danger also that strong re-action may set in which might cause some miscarriage of justice. For, as your Lordships are well aware, the English people will not stand for a moment the notion that any responsibility should be cast upon the shoulders of a man who ought not properly to be made to bear it. They will not for a moment suffer Lieutenant Carey in any way to be made a scapegoat of in this matter, or to be treated differently on account of the illustrious rank of the individual who perished when with him, than he would have been treated had it been merely a question of the lives of the two troopers who also perished. This matter is one of such importance that I make no apology for bringing it before your Lordships, and I beg to ask, Whether the late Prince Imperial held any appointment in South Africa under Her Majesty's Government, either Home or Colonial? I beg also to move for Copies of the Orders or Instructions under which the late Prince Imperial was acting on the 1st of June; and for Copies of the Orders which detailed Lieutenant Carey for duty on the same day; and for Copies of the Charge or Charges upon which Lieutenant Carey was arraigned.

VISCOUNT BURY: I am afraid I must answer the speech of the noble Earl in a very few words. I must decline to follow him into any of the details which he has brought before the House—in my opinion, the time has not yet arrived when we can discuss this matter. The proceedings of the court martial which sat on Lieutenant Carey have reached this country; but they have not yet been confirmed, neither are they yet officially before the War Office. I have not myself seen them. Under these circumstances, it is impossible for me to follow my noble Friend into those details on which he has framed some ingenious hypotheses. I will, therefore, confine myself to answering the Questions in the fewest possible words, guarding myself, at the same time, against the supposition that there is any indisposition on my part to afford the information for which my noble Friend asks. My noble Friend asks whether the late Prince Imperial held any appointment in South Africa under Her Majesty's Government either Home or Colonial? My noble Friend suggested that the Prince was attached to some Colonial Forces, and had a commission in them. That is not the case; neither is it a fact that he held any commission or had any direct employment under Her Majesty. He was employed in the Quartermaster General's Department on the occasion in question, in the same way that any civilian may be employed without acting in any military capacity. The answer, therefore, I have to make to my noble Friend's first Question is that the Prince Imperial, though he was employed, had no appointment under Her Majesty. My noble Friend moves for Copies of the Orders or Instructions under which the late Prince Imperial was acting on the 1st of June. We have at the War Office no knowledge of any such Instructions. They have not come to us, and we do not know of their existence. My noble Friend asks for Copies of the Orders which detailed Lieutenant Carey for duty on the same day. I must give to that Question the same answer—that they are not in the possession of the War Office, and I am not aware of their existence. My noble Friend also asks for Copies of the Charge or Charges upon which Lieutenant Carey was arraigned. My Lords, as I have said, the Report of the finding of the court martial, and the proceedings of the court martial, are in this country; but until they have been confirmed it will not be possible to produce them. When, however, they can be produced without injury to the Public Service or to the interests of justice, those Charges will be laid upon the Table of your Lordships' House.

Lord TRURO said, the reply of the noble Viscount the Under Secretary of State for War was characterized by reticence and ambiguity; indeed, most of the noble Viscount's replies were capable of a double signification. ["Oh! oh!"] What could be the meaning of the Prince Imperial being employed and yet holding no appointment under Her Majesty? There was a double significance in the noble Viscount's answer. The answer was not intelligible. The evident intention of the Government was that this matter should not be discussed in Parliament during the present Session. He complained that they were keeping the public uninformed on a subject which excited so much interest throughout the country until Parliament should be prorogued.

The Duke of RICHMOND and GORDON: The speech of the noble Lord who has just sat down, I think, will lead all your Lordships thoroughly to understand the very great ignorance which he displays upon matters connected with the Military Service of this country; because it is scarcely credible that the noble Lord should have got up and found fault with my noble Friend the Under Secretary of State for War for the answer which he gave him, if he had any knowledge whatever of anything connected with the Army. The noble Lord laments the death of the Prince Imperial, and complains that the subject is not likely to be discussed during the present Session of Parliament. But the subject-matter connected with the lamented death of Prince Louis Napoleon, and the subsequent transactions which took place in South Africa affecting the character of an officer of Her Majesty's Army, are questions not to be discussed in Parliament until Parliament has before it the whole of the circumstances of the case. It would be most unjust to Lieutenant Carey, and most unseemly and incorrect on our part, if we were to give any opinion upon this matter until the whole of the proceedings of the court martial can with propriety be made public, and they cannot be made public before they have been approved by the General Commanding-in-Chief. The noble Lord seems to think that the proceedings of a court martial can be treated like some trivial proceeding before a police magistrate. The noble Lord seems to imagine that those proceedings should be made the subject of discussion at once; but that was more surprising than the noble Lord's being surprised at what was said by the noble Viscount the Under Secretary of State for War. My noble Friend stated that the Prince Imperial did not hold any appointment in the British Army —and it was impossible that the Prince, situated as he was, could do so—but on this occasion he was employed; and that answer was substantially correct and true; and if the noble Lord brought forward the question over and over again he could not receive any other answer—namely, that the Prince was employed on the 1st of June, but held no appointment.

Lord WAVENEY thought that the subject had been very ingenuously brought before their Lordships by the noble Earl who raised the discussion, who, as he understood, had some apprehension and had stated that there were some fears in the country that this subject would not be discussed in that House this Session. The subject was one of the highest importance, and it should not be left to be considered simply upon any Report that might be presented which few people would read. He did not understand his noble Friend (Lord Truro) as wishing to discuss the proceedings of the court martial. He asked for information; and, no doubt, it was important that their Lordships should learn whether the discipline of the British Army was what it ought to be. The very fact that the Prince received employment showed that his life was under the protection of the British flag; and his life should, therefore, have been as strictly guarded as that of anyone engaged in the Queen's Service. As for the Instructions which had been moved for, he understood that the correspondence was so much in arrear that copies had not come home. The Adjutant General's Department in that case must be very ill-served. Of Lieutenant Carey he knew nothing; but he trusted an opportunity of discussing his case would be given before the end of the Session, notwithstanding the misgivings of his noble Friend. All these questions must be settled authoritatively, with as little delay as possible. He supported most cordially the Motion of his noble Friend for the Papers, with the exception of those relating to the court martial.

Lord HAMPTON agreed with his noble Friend (Lord Waveney) that no exception could be taken to the speech of the noble Earl who introduced this subject. The inquiries were very natural under the circumstances, and no complaint could be made of the tone in which he had spoken. But he could not speak in the same sense of the speech of the noble Lord who followed the Under Secretary (Lord Truro). He had listened to the remarks of his noble Friend the Under Secretary, and he had not heard a word which would justify the charge that his speech was distinguished by ambiguity and reticence. Equally without foundation was the statement that it was the evident intention of Her Majesty's Government that the subject should not be discussed this Session, and that the Papers were withheld on that account. He had never heard in that House a statement more destitute of foundation. His noble Friend had said all that he prudently could say under the circumstances. With respect to Lieutenant Carey, until the proceedings of the court martial had been confirmed they could not be made public, and, in the meanwhile, there would be necessarily great curiosity to know in what manner that officer would be treated. It was essential that justice should be done to Lieutenant Carey, and justice could not be done if the unusual course were taken of discussing his conduct before the House was in possession of the whole of the circumstances of the case.

Lord TRURO wished to say a word in explanation. The noble Duke (the Duke of Richmond and Gordon) had taken him to task with great severity, and had imputed to him the idea that the proceedings of the court martial ought at once to be laid before that House. He was perfectly ready to acknowledge his own little acquaintance with military affairs; but he did not for a moment suppose that the proceedings of the court martial would be laid before that House before they had been confirmed by the Commander-in-Chief.

Earl GRANVILLE said, it was quite clear it was not desirable that the House should discuss the case of Lieutenant Carey without full information; but the noble Earl who brought forward this Motion (the Earl of Dunraven) did not ask their Lordships to discuss the subject without information. The great object of his noble Friend was to get whatever information Her Majesty's Government could give on the question. The observations which his noble Friend had made contributed very useful information as to the case, and he was quite sure that information on the matter was required by the public, whose feelings were stirred in the most extraordinary degree. For his own part, he could give no opinion on such questions as these—whether Her Majesty's Government were right in permitting the Prince Imperial to go to South Africa at all—the question as to the position in which the Commander-in-Chief placed him—the question as to Lieutenant Carey's position with respect to the Prince—and, above all, the question of the unfortunate situation in which Lieutenant Carey was now placed, whether he was guilty of very grievous misconduct or not. Upon these questions he expressed no opinion whatever. But he thought it was obviously reasonable that Her Majesty's Government should decline to produce the Report of a court martial which the Under Secretary said had not yet reached the War Office, and had not been confirmed by the Commander-in-Chief. No doubt all the Instructions asked for by his noble Friend would be found in the Papers of the court martial; if not, important information would be wanting without which it would be impossible for Her Majesty's Government to act. What he wanted was that when complete information could be given on the subject it would not be withheld from Parliament.

The Earl of DUNRAVEN said, that as the noble Viscount the Under Secretary of State for War had stated that he had received no copies of the documents he would not press for them. In what he had said with regard to himself he meant that he was under orders and served in a special capacity. He held that appointment throughout the campaign, he received a medal for the campaign, and he was a civilian. He thought his position in that case was analogous to that of the Prince Imperial.

Viscount BURY said, the Prince Imperial was attached to the Staff, but was not an *aide-de-camp.*

Motion (by leave of the House) *withdrawn.*

MERCANTILE SHIPPING—EXPLOSIVES ACT, 1875.

QUESTION. OBSERVATIONS.

Lord TRURO asked, Whether Her Majesty's Government have taken any steps since the last Session of Parliament to prevent the shipment in merchant vessels, carrying passengers, of gunpowder or other explosive substances in larger quantities than the law permits; and, also, whether any steps have been taken to compel the owners of merchant vessels carrying passengers to provide properly constructed magazines for the stowage of explosive substances? The noble Lord remarked that the trade in explosives from this country had increased so enormously during the last few years, that he thought the time had now come when it would be expedient for the Government to consider whether they ought not to enact that it should be carried on in vessels specially constructed and exclusively appropriated to the traffic?

Lord HENNIKER said, he fully acknowledged the importance of the subject, and thought the best way of answering the Question would be to explain the exact position of the Board of Trade in this matter. Under the Explosives Act of 1875, the harbour authorities were bound to make bye-laws; the bye-laws required the sanction of the Board of Trade; the Board of Trade had no power to compel the harbour authorities to make those bye-laws; but, soon after the passing of the Act of 1875, they issued a Circular to all the harbour authorities drawing their attention to the new Statute. That Circular was issued to all the harbour authorities catalogued by the Commissioners of Customs, and their names were to be found in the House of Commons Paper, No. 213, of 1874. To show that the matter had been in no way neglected, he might say that some of those authorities to which Circulars had been issued were now found to be no longer harbour authorities, or only so in name. Of these, 177, including the principal ports, such as the Thames, the Mersey, the Tyne, and the Tees, had made bye-laws, which had been sanctioned by the Board of Trade. Since the noble Lord brought that question before the House last year the Thames Conservancy had—as he then stated was probable—issued amended bye-laws, with the view of securing the hoisting and keeping the red flag flying on all ships which were about to receive or had on board explosives. In the case of ships carrying passengers, which came under the operation of the Passenger Acts, the carriage of explosives was entirely prohibited, and the officers of the Board of Trade had done their best to see the law properly carried out. In the case of ships which did not come under the Passenger Acts, the Board of Trade officers interfered when they had reason to believe the method in which the explosives were stowed rendered the ship unsafe. The Board of Trade had issued no instructions as to the construction of magazines on board ship. Those they had issued were as follows:—

> "The principal officer of the Board of Trade need not detain any such ship, provided the explosives, being packed as required by the Explosive Substances Act and by order of the Secretary of State, are enclosed in a substantial compartment formed of double boards with an intermediate lining of felt, and free from all exposed iron in the interior thereof, and exclusively appropriated to the stowage of explosives. If such a compartment is not provided, the officer must satisfy himself that the explosives are 'otherwise,' and by careful stowage, secured from contact with or danger from any other article or substance carried as cargo on board the ship. If, for instance, the explosives are surrounded with goods carefully packed and have boards between them and the goods, so as to completely isolate them from all cargo, packing-cases, &c., likely to cause explosion by

metal or other dangerous articles coming in contact with powder, and if they are placed on and surrounded by sailcloth or felt in such a way as to prevent effectually any of the powder getting adrift during the voyage and filtering into the general cargo, and if they are so placed and surrounded that the crew cannot get among them in their attempts to plunder cargo during the voyage, the officer need not interfere with their stowage. It is, of course, understood throughout that explosives are not to be placed in the same part of the ship as coals, combustibles, spirits, or other inflammable goods."

The noble Lord (Lord Truro) wished to know why ships could not be fitted specially to carry explosives only? There was no reason against ships being so fitted, as far as the Board of Trade were aware, except one—namely, that the cost of fitting ships and using them exclusively for that trade would be too great. As to the desirability of securing to passengers and crew a knowledge that explosives were to be carried by any ship, it was not legal to carry explosives on board passenger ships, as he had said, under the Passenger Acts. Therefore, in those ships there was nothing to warn passengers of. As to passenger ships not under the Passenger Acts, the Board of Trade had nothing to do with regulating the stowage, and were not in a position to give any warning. If a passenger wished to know whether explosives were to be carried, he could easily ascertain the fact by making an application to the Customs or to the harbour authority. With regard to the number of ships burnt, 26 ships had been burnt only, as far as could be known, in the two years ending in 1878. That, of course, was open to a qualification, as some ships—a large number—were reported as lost with the cause unknown. However, the number was not large, when the fact was considered that 316,887 British ships, and 29,881 foreign ships—a total of 346,768—had cleared from ports in the United Kingdom in 1878; 15,187 British, and 3,576 foreign ships from London alone.

PETROLEUM ACT (1871) AMENDMENT BILL.—(No. 161.)

(*The Lord Steward.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

Lord COLCHESTER urged the importance of proceeding with the greatest care in dealing with this subject. The public safety required that they should guard against undue laxity in any legislation of this kind.

Earl BEAUCHAMP said, that in 1871 the Petroleum Act was passed, and it provided a certain test, which was known as the open test. In 1872, a Bill was introduced to substitute another test for that contained in the Act of 1871, and that Bill was referred to a Committee of their Lordships' House, which took a great amount of evidence on the question. The proposal in the present Bill was the outcome of experiments that had been made in order to test the character of the petroleum.

House in Committee accordingly.

Bill *reported,* without Amendment; and to be read 3ª on *Tuesday* next.

House adjourned at Seven o'clock,
to Monday next, a quarter
before Five o'clock.

HOUSE OF COMMONS,

Friday, 1st August, 1879.

MINUTES.] — Select Committee — *Report* — Mr. Goffin's Certificate [No. 334].

Supply—*considered in Committee*—Navy Estimates; Civil Service Estimates, Class IV. —Education, Science, and Art.

Resolutions [July 30 and 31] *reported.*

Ways and Means—*considered in Committee*—*Resolutions* [July 31] *reported.*

Public Bills—*Resolution* [July 31] *reported*—*Ordered* — *First Reading* — East India Loan (Annuities) * [275].

Ordered—*First Reading*—Agricultural Holdings (Scotland) (Warning to Remove) * [277].

First Reading—Metropolitan Public Carriage Act Amendment * [276].

Second Reading—Public Offices (Fees) * [266].

Committee — *Report* — Mungret Agricultural School, &c. * [213].

Third Reading — Land Tax Commissioners Names * [109], and *passed.*

Withdrawn—Occupation Roads * [241].

The House met at Two of the clock.

QUESTIONS.

SCOTLAND — THE UNIVERSITY OF EDINBURGH — THE PROFESSOR OF CHURCH HISTORY.—QUESTIONS.

Mr. M'LAREN asked the Secretary of State for the Home Department, Whether the Professor of Church History in the University of Edinburgh accepted his commission to that office on the condition that the charge held by him as a Minister of the Church of Scotland would be relinquished by him before Whitsunday 1879; and, if so, whether any sufficient reason has been assigned for his still holding the office and performing the duties of parish minister in a populous and important charge in the Church in contravention of the conditions referred to?

MR. ASSHETON CROSS: Sir, the duties of the Professor of Church History, if rightly performed, are quite sufficient, in my opinion, to occupy the whole time of the Professor. Accordingly, when the present Professor was appointed, it was made an express condition that he should resign his Presbyterial charge before Whit Sunday, 1879. He has complied with that requirement by resigning the office which he holds as parish minister, and his resignation has been accepted by the Presbytery of Edinburgh. No successor has as yet been appointed to him; but that is due, not to any neglect on the part of the Professor of Church History, but to the fact of some of the parishioners having appealed to a higher court. All I can say is that of course the Professor must give up his charge if he intends to keep the Chair.

MR. M'LAREN: Might I ask, If the only person who has appealed is a solicitor, and whether he is not supposed to be acting in accordance with the wishes of the Professor?

MR. ASSHETON CROSS: I have only had a short conversation with my right hon. and learned Friend the Lord Advocate; but I understand that the Professor is quite willing to carry out the arrangement that was come to.

REPRODUCTIVE LOAN FUND (IRELAND)—LOANS TO CLARE FISHERMEN.—QUESTIONS.

MR. O'SHAUGHNESSY asked the Chief Secretary for Ireland, Whether it is true that Thomas Enright and Michael Scanlan, inhabitants of Clare, creditors of the Irish Board of Works for moneys advanced from the Irish Reproductive Loan Fund, were, after payment of part of their loans, sued for the entire original amounts and

compelled to pay them in the month of February last; whether these poor men have since been repaid the sums thus overpaid, and, if so, when they were so repaid; whether one Stephen Collins, also of Clare, a creditor of the Board under similar circumstances, tendered the balance he actually owed with costs to the solicitor acting for the Board, and whether the solicitor refused to accept the sum, and proceeded to sue Collins; and, whether Thomas Banfill, an inhabitant of Clare, similarly circumstanced, having repaid part of his loan, was sued for the whole, tendered the balance in court, with costs, when his offer was refused by the solicitor?

MR. J. LOWTHER: Sir, these parties obtained the money in the manner referred to for a specific purpose, and afterwards applied it to another. This, of course, was gross irregularity, and the sessional Crown Solicitor, with whom the duty rested of recovering this money, interfered, and applied for the whole sum due, notwithstanding that some payment had been made on account. His object in doing that was to read them a lesson against committing a breach of their engagements. The Board of Works, however, directed that the money should be restored which had been paid on account. The repayment to these two men was ordered on the 10th of June; but in consequence of the death of the clergyman who was referee they did not receive it until the 20th. The order was made in Collins' case, and there was no refusal to receive what he tendered.

MR. O'SHAUGHNESSY: Did Collins tender the money?

MR. J. LOWTHER: Neither Collins nor Banfill offered to pay the balance.

MR. O'SHAUGHNESSY: I beg to give Notice that I will, on an early day, call attention to the unjust and arbitrary conduct of the Crown Solicitor for County Clare in sueing Enright and Scanlan for sums of money, a part of which had already been paid by them.

KINGDOM OF SIAM—ACTION OF MR. KNOX, BRITISH CONSUL GENERAL—THE GUNBOAT "FOX."

QUESTION.

MR. RYLANDS said, after the explanation which had been given in regard to this matter the other night, he would not trouble the hon. Gentleman the

Under Secretary of State for Foreign Affairs with the Question on the subject which stood upon the Paper in his name as follows :—

> "To ask the Under Secretary of State for Foreign Affairs, whether he will explain to the House the circumstances under which the British Consul General in Siam ordered up the gunboat "Fox" from Singapore to Bangkok, and for what purpose the vessel has been detained there until the present time; whether it is the fact that, under the orders of the Consul General, the Commander and Officers of the British gunboat have been prevented from paying visits to the Siamese, or giving them invitations to the vessel; and, whether these proceedings on the part of the Consul General have the sanction of Her Majesty's Government?"

but he should like to know, If, when the Consular Report was received, the Government would be prepared to come to any decision on the subject, and lay Papers on the Table?

MR. BOURKE, in reply, said, he must express his obligations to the hon. Member for putting the Question in this form. An inquiry was still going on at Bangkok, and the Foreign Office would, no doubt, before long arrive at a conclusion upon it; but he was afraid he could not say that the Papers would be laid upon the Table of the House until that conclusion had been arrived at. However, the hon. Member would not be able to see the Papers until next Session, and therefore the Question had better be postponed until that time, seeing that he would be in no worse position by so doing.

LUNACY AND POOR LAW ADMINISTRATION (IRELAND)—THE COMMISSION OF INQUIRY.—QUESTION.

MR. MACARTNEY asked the Chief Secretary for Ireland, Whether it is the case that a Memorandum was supplied to him by the Commission of Inquiry into Lunacy and Poor Law Administration appointed in 1877, in addition to the Report supplied to this House; and, if so, whether he has any objection to having it also printed and delivered to honourable Members?

MR, J. LOWTHER: Sir, the Report referred to by the hon. Gentleman is a document of alarming length; but the Commissioners have furnished me with a Memorandum expressing their views in a more handy shape, and I have no objection to its being printed.

VACCINATION ACTS (IRELAND) AMENDMENT BILL.—QUESTION.

MR. G. E. BROWNE asked the Chief Secretary for Ireland, Whether he intends to proceed further with the Vaccination Acts (Ireland) Amendment Bill?

MR. J. LOWTHER: Yes, Sir, the Bill would have been brought forward, and passed long ago, but for some Amendments which have prevented it being heard. I hope, however, an opportunity will shortly occur to proceed with it; and meanwhile, if the hon. Gentleman can prevail upon his political Friends to withdraw their opposition, it will greatly facilitate matters.

NAVAL DISCIPLINE BILL—PUNISHMENT.—QUESTION.

MR. MACDONALD asked the First Lord of the Admiralty, When he will introduce the promised Naval Discipline Bill; and, whether, considering that, by the Army Discipline Act, which has now become Law, the punishment of solitary confinement to the soldier has been abolished as a part of the original sentence, he will stay the execution of all sentences that have solitary confinement as a part of the original conviction until the Naval Discipline Bill has been dealt with?

MR. W. H. SMITH, in reply, said, he was afraid it was now too late to introduce a Bill for the amendment of the Naval Discipline Act this Session, looking to the importance of the subject and to the lateness of the period which had been reached; but he had been for some days in communication with his right hon. Friend the Secretary of State for the Home Department, with a view to securing that the punishment under the Naval Discipline Act—the special and particular punishment to which the hon. Gentleman referred—should be carried out in the same way as similar punishments under the Army Discipline Act. Under these circumstances, he hoped the object which the hon. Gentleman had in view would be practically accomplished.

ARMY—COMMISSARIAT OFFICERS—THE WARRANT.—QUESTION:

COLONEL MURE asked the Secretary of State for War, Whether it is intended to fill up the vacancies in the several ranks of the officers of the Commissariat which have occurred, and may occur, owing to the late compulsory and voluntary retirements before the Warrant expected is published; whether it is intended to fill the said vacancies by placing military officers over the heads of officers at present serving in the Commissariat according to date of Commissions; whether a great number of the present officers will be compelled to retire; and, if so, what compensation will be granted to them; and, what will be the position and future prospects of those who will be retained?

Lord EUSTACE CECIL, in reply, said, that in view of the approaching publication of the Warrant there were many points that would have to be considered between the Treasury and the War Office, and it would be impossible at the present to answer the Question categorically. The vacancies which formed the subject of the Question would not be filled up until the number of officers to be retired had been settled.

EGYPT—THE PAPERS:—QUESTIONS.

Mr. OTWAY asked the Under Secretary of State for Foreign Affairs, When the Papers relating to Egyptian affairs will be delivered; and, why the Copies of the Firman promised at Whitsuntide have not yet been delivered? He should like also to take this opportunity of asking the hon. Gentleman, Whether the Government have yet received any intelligence as to the prohibition of Nubar Pasha's return to Egypt?

Mr. BOURKE, in reply, said, he must ask the hon. Member to give Notice of the latter part of the Question, which he should be happy to answer on Monday. In reference to the Question on the Paper, on the 30th of June, in answer to a Question put by his hon. Friend, he said he thought it would be better to present the Firman as a separate Paper, and he requested his hon. Friend to confer privately with him on the subject; but he had not had the advantage of that conference.

Mr. OTWAY: You told me not to come.

Mr. BOURKE, continuing, said, he thought it would be better to publish the Correspondence with respect to the Firmans at the same time; but this had involved him in a search through 30 or 40 volumes of Correspondence relating to Firmans since 1841, and the task had occupied him longer than he had anticipated. They were, however, now ready, and would, he hoped, be in the hands of hon. Members by Tuesday or Wednesday next, and the other Papers in the course of next week.

Sir JULIAN GOLDSMID said, he wished to put two or three Questions to the right hon. Gentleman the Chancellor of the Exchequer with respect to Egyptian affairs. He had put several Questions upon the same subject on a former occasion, when the right hon. Gentleman said he was unable to answer them, because England was acting in concert with France in the matter. He now desired to ask, Whether the statement made by M. Waddington in the French Legislative Assembly was made after consultation with the English Government, seeing that the Chancellor of the Exchequer had declared some time ago that he was not in a position to make any statement himself until he had consulted with the French Government; and, whether the contradiction that was apparent between the statement of M. Waddington and what had been stated on the part of the British Government in the House of Commons could be explained? The statement of M. Waddington was that the French Government were obliged to insist on the abdication or deposition of the Khedive in the interests of the French creditors of the Khedive, whereas the statement on the part of the English Government was that action had not been taken in the interests of those creditors at all. Could he explain how those very different statements could be made to agree? He should also like to know, whether, considering the importance of the subject and the pledge of the Government with regard to it, the Chancellor of the Exchequer was not disposed to afford some other opportunity for the discussion of these matters than that which had been suggested by the Secretary to the Treasury—namely, on the stages of the Appropriation Bill; whether the right hon. Gentleman did not think it right that under the circumstances which had occurred, and after the very full explanation which had been offered in the French Legislative Assembly, a more favourable and earlier opportunity than that should be given before the House dispersed for the Recess?

The CHANCELLOR of the EXCHEQUER: Sir, I think it would be more convenient if Notice were given of Questions like that relating to the speech of M. Waddington. I have only seen a short account of it in the newspapers, and my experience is that these accounts are not always reliable. With regard to the opportunity the hon. Gentleman desires to have, I should be very glad indeed if opportunity could be given for discussion of this or any other subject; but we are asked for so many opportunities that really it is difficult to fix them at all. But as we are now, I hope, coming within sight of the Appropriation Bill, I think that the stages of that measure would furnish convenient opportunities enough for such discussion.

Sir JULIAN GOLDSMID gave Notice that he would repeat his Question on Monday, with the addition of two or three others. As, from the remarks of the Chancellor of the Exchequer, there seemed to be a prospect of completing Supply in a few days, and as, therefore, the Appropriation Bill was not so far off as he had at first supposed, perhaps he had better bring forward the matter on that occasion; and, therefore, he would be glad to know when the Chancellor of the Exchequer expected to take the last Vote in Supply and to bring in the Appropriation Bill?

The CHANCELLOR of the EXCHEQUER said, that having been taunted on the point he had no desire to express too sanguine an opinion on the subject, and did not like to make rash speculations, but thought it was within the power of the House to close Supply next week. Whether the House would exercise that power or not he could not say.

ARMY DISCIPLINE AND REGULATION BILL—IMPRISONMENT OF MILITARY OFFENDERS.—QUESTION.

Colonel COLTHURST: I beg to ask a Question of the Secretary of State for the Home Department, of which I have given him private Notice, As to whether measures will be adopted to carry out the undertaking given by him, in connection with the Army Discipline aad Regulation Bill, to provide that military offenders shall be kept in prisons separate from those occupied by ordinary criminals?

Mr. ASSHETON CROSS: Sir, my undertaking was to do so not as quickly, but as far as possible, and some steps have already been taken in that direction. I have appointed a small Committee to act in concert with a small Committee appointed by the War Office in considering the question. I hope they will be able to do that during the Recess, and let us know what can be done in the matter.

SHIPPING CASUALTIES INVESTIGATIONS RE-HEARING BILL—AMENDMENTS.—QUESTION.

Mr. MAC IVER asked, Whether it is intended in Committee on the Shipping Casualties Investigations Re-hearing Bill to introduce Amendments in conformity with the views of the Mercantile Marine Association of Liverpool; and, whether the Board of Trade intend to introduce Amendments providing for appeals to the Court of Admiralty at Westminster?

Mr. J. G. TALBOT, in reply, said, he had only received Notice of the Question since he came into the House. He would communicate with his noble Friend the President of the Board of Trade on the subject. Meantime, it would be open to the hon. Member to put down such Amendments as he might think proper, in which case he (Mr. Talbot) would assure him they would be duly considered by the Government.

Mr. MAC IVER gave Notice that on the Motion for going into Committee on the Bill, he should move that the House go into Committee on it that day three months.

REGULATION OF RAILWAYS ACTS CONTINUANCE BILL—THE RAILWAY COMMISSION.—QUESTIONS.

Mr. HERMON asked, Whether the Regulation of Railways Acts Continuance Bill, which had been introduced, was merely a Continuance Bill, or whether it contained any alteration whatever of the present Act, under which the Railway Commission existed, or sought to establish any Court of Appeal? He also wished to know, whether it would not be possible to continue the Commission for one year instead of three?

Mr. J. G. TALBOT, in reply, said, the Bill was merely for the continuance of the Railway Commission for three years from the 1st of January next. It was not intended to make any alteration whatever in the present Act; but the Government desired to give plenty of opportunity for consideration of the whole question by giving what he might call temporary permanence to the Railway Commission.

Mr. CALLAN asked, Whether the new Bill for the continuance of the powers of the Railway Commission would give the Commission power to sit in Ireland upon matters affecting Irish interests exclusively?

Mr. J. G. TALBOT, in reply, said, he could not undertake to answer the Question without Notice; but the subject was one which would be carefully considered by the Government.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTIONS.

In reply to Mr. Mac Iver and Mr. Beresford Hope,

The CHANCELLOR of the EXCHEQUER said, the Government were compelled to put down Supply as the first Order for the Evening Sitting that day, and the first Motion that night was one by the hon. Member for Derby (Mr. Plimsoll), in reference to the condition of Malta. The Government proposed to take Supply, if the House went into Committee at a reasonable hour. He was sorry to have to ask the House to make an exception to the pleasant rule of a "Saturday half holiday" to-morrow. He proposed that the House should meet to-morrow at 12 o'clock, and it was not intended that the Sitting should be prolonged beyond 6 o'clock. The Bankruptcy Bill would not be taken to-morrow; but it was proposed to take Supply, which it was desirable at that period of the Session to advance as rapidly as possible. He would, therefore, appeal to hon. Members who had Notices on the Paper not to stand in the way. It might be possible, also, to take the second reading of the Regulation of Railways Acts (Continuance) Bill to-morrow.

Mr. RYLANDS intimated that, after the appeal of the right hon. Gentleman, he would defer the Motion which stood in his name on the Paper.

Mr. FAWCETT also consented to the postponement of his Motion.

ORDER OF THE DAY.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

AUSTRALIAN DEFENCES—THE REPORTS.

MOTION FOR AN ADDRESS.

Colonel ARBUTHNOT moved an Address—

> "For Copies of Official Reports on Australian Defences, by Sir W. F. D. Jervois and Colonel Scratchley, R.E.; and of Correspondence relating thereto between those Officials, the Governments of New South Wales, Victoria, South Australia, Queensland, Tasmania, New Zealand, and the Colonial Office."

The Papers referred to had been laid before the Colonial Legislature, and had been published and commented on in the Colonial newspapers; and he protested against the principle that Papers connected with Imperial subjects presented to the Colonial Parliament should not be presented to the Imperial Parliament.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, Copies of Official Reports on Australian Defences, by Sir W. F. D. Jervois and Colonel Scratchley, R.E.; and of Correspondence relating thereto between those Officials, the Governments of New South Wales, Victoria, South Australia, Queensland, Tasmania, New Zealand, and the Colonial Office,"—(*Colonel Arbuthnot*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir MICHAEL HICKS-BEACH hoped the hon. and gallant Member would not think him wanting in courtesy, or in interest in the subject of this request, if he said he could not assent to the Motion. Sir William Jervois and Colonel Scratchley had been sent out to Australia, at the request of the self-governing Colonies, to inquire into the state of their defences, and to report to the various Governments as to the measures that should be taken to put them in a proper condition. The Reports in question were made to the Colonial Governments, with a view to action and expenditure on their part, and not on the part of the Imperial Government. Some of them were, no doubt, presented to the Colonial Legislatures, because those Legislatures were asked to vote money in order to carry out the proposals which they contained. Having seen these Reports, he thought there were reasons for regretting that they had been published at all. They entered into particulars as to the deficiency in the present system of defences, and the means of remedying those deficiencies, which had better not have been made public in any way. Such Reports, so far as they had been presented to the Colonial Parliaments, were forwarded, in accordance with universal rule, to the Library of the House of Commons. He understood that the Reports in question had not yet all arrived, and he had given directions that any deficiencies should be supplied from the copies in his hands; but he did not think it was advisable that they should be collected together and published for the general information of the world. He also considered it would be detrimental to the Public Service to publish the Correspondence on the subject.

Question put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," again proposed.

SOUTH AFRICA—ADMINISTRATION OF NATIVE AFFAIRS.—OBSERVATIONS.

MR. CHAMBERLAIN, in rising to call attention to the administration of Native Affairs in South Africa, especially in connection with the origin and conduct of the late War with the Galekas and Gaikas; and to move—

> "That an humble Address be presented to Her Majesty, praying Her Majesty to appoint a Royal Commission to inquire on the spot into the policy which has led to these and other wars in South Africa, and which has resulted in large annexations of territory and increase of responsibility, in spite of repeated protests from successive British Governments;"

said that, looking at the importance of the subject, he hoped the House would consider a few hours passed in the discussion of the question time not wasted, even at that late period of the Session. At the outset, he might say that he was aware he could not put his Motion for a Royal Commission; but, even if he could, he had no intention to press it to a Division; so that if the Motion which had just been made by the hon. and gallant Member for Hereford (Colonel Arbuthnot) had been negatived with the object of preventing a vote from being taken those tactics had been quite unnecessary. He did not propose his Resolution as a Party one, or with a view of making it a vehicle for any attack upon the Government; neither did he intend to bring the Zulu War within the discussion, with the exception of saying that it did not stand alone, but was only an incident, an illustration of a whole course of policy—bad fruit from a bad tree, which, if not cut down at the root, would bear more bad fruit in future. The history of our rule in South Africa, and of the proceedings of the Colonial Government, was really the history of periodic Native Wars; originated, in many cases, in direct opposition to the instructions of the Government of the day, and ending in results which the Home Government and the British Parliament had over and over again deprecated. The present war, which all agreed in deploring, he hoped would soon be terminated. It was a war commenced in injustice, and prosecuted in disaster, and would have a termination only to be considered satisfactory, because it was the end of a war which should never have been begun; but it was a war that, unless we went deeper than there had hitherto been an inclination to go, would soon recur again. The history of these Native Wars was not unlike the course of zymotic disease. Medical scientists told of outbreaks of scarlet fever and smallpox as recurring at periodic intervals. They came in waves, they reached their maximum, and at last subsided—to be followed, after a term which could almost be exactly predicted, by fresh outbreaks. In regard to these outbreaks, we dealt with each as it occurred; but the present state of our knowledge did not permit us to discover the underlying causes, so that they might be dealt with in a way to insure their extirpation. So, also, with these South African Wars; we had dealt with each as it arose, not making a provision against the recurrence of future wars. A brief review of the history of the Colony would show similar causes continually producing the same results, and would show the Home Government, under different Administrations, powerless to prevent the execution of a policy which it constantly disapproved, against which it had repeatedly protested, and of which it foresaw the fatal consequences. In 1806 we took final possession of the Colony, a most unfortunate acquisition, as it turned out. Never had it become a Colony in the ordinary sense of the word—in the sense of such Colonies as those in America or Australia, where many millions of our own blood had founded homes and lived out prosperous and useful lives. At the present time, all the vast territory belonging to the Crown in South Africa was inhabited by a mere handful of men and women of English blood. The latest Return showed only 120,000 of English descent in the whole of the Colonies; while, on the other hand, the Dutch population was three to one of the English, and the Native population five times as numerous as the English and Dutch together. Therefore, all that had been done, and all the money spent in these Colonies by us, had not been so much for the benefit of our English fellow-subjects, but partly for the advantage of the Dutch, with whose views on Colonial policy in many respects we could have no real sympathy, and chiefly, we must suppose, for the good of the millions of Natives brought under our rule. The House would soon see how far this last presumption had been justified in the event. We had hardly taken possession of the Colony before we found ourselves in hot water, and squabbles broke out —the first of a series—with the Kaffirs in 1811. That war broke out, as most of them had, from the greed of the Colonists, leading to a land dispute; and it ended, as all these wars had, with a large annexation of territory, with increased responsibility, sowing the seeds of new and increasing troubles. In 1811 the Native Tribes were driven across the Great Fish River, and that river was established as our line of boundary; but in 1819, after a second Kaffir War of some importance, as he learned from subsequent debates in the House, the Great Fish River was considered an unscientific Frontier, and it was said that, owing to the banks being lined with thick bush, Native inroads were encouraged, and it was necessary to carry the Border line further North and East. Accordingly, that was done, with the promise, or the anticipation at least, that we had, with the new Frontier, come to an end of our troubles. But a third war, more serious than the two preceding it, broke out in 1834, and on that occasion Cape Colony was invaded by the Kaffirs, who committed great devastation and outrages. Well, the command of the troops was intrusted to Sir Harry Smith, and, after various vicissitudes, the Natives were defeated, and Sir Harry Smith, not satisfied with the scientific Frontier, annexed the country to the Kei River, and declared the Tribes subject to Great Britain. This was not done, however, with the approval of the Home Government, and Lord Glenelg, then Secretary for the Colonies, declared that the Kaffirs were amply justified in the rebellion into which they had been driven, and directed that the country which had been annexed should be evacuated, and the independence of the Tribes restored. And here he (Mr. Chamberlain) would just refer to an astounding statement attributed to Sir Bartle Frere, on the occasion when the Boers had met to hear the opinions of the High Commissioner. Sir Bartle Frere told them that never in the history of the country had any territory over which the British flag had ever waved been restored to independence. Now, here, he (Sir Bartle Frere) spoke in ignorance of, or in direct contradiction to facts, for not only was there the restoration of this territory on the side of the Kei; but, on another occasion, there was the Orange River Free Territory restored to independence. An hon. Friend near him mentioned the Ionian Islands; but he (Mr. Chamberlain) preferred to confine his observations to South Africa merely. The opinion of the Government and of Lord Glenelg was confirmed by that of the House; and a Committee, upon which sat many distinguished men, among others the right hon. Gentleman the Member for Greenwich (Mr. Gladstone), reported that the war had arisen from "systematic forgetfulness of the principles of justice on the part of the Colonists." The next step in this sad, eventful history was reached in 1846, when war again broke out—and here he would urge the House to observe how past experience showed all through the history the constantly fruitless efforts on the part of the British Government to control the action of their servants in the Colony, who were, as Sir William Molesworth said, "possessed with an insane desire for worthless empire." Lord Grey wrote to Sir Henry Pottinger, who was in command of our troops, that it was not desirable

> "To extend the dominions of the Crown in South Africa, fresh acquisitions being not only worthless, but pernicious."

It was like the irony of fate that, 33 years later, we found similar instructions being sent out by the Secretary of State for the Colonies, and, it was to be feared, with as little good result. What happened in 1846? It was all very well for Lord Grey to send private instructions to Sir Henry Pottinger; but that war ended as all wars to come seemed likely to end, and as its predecessors had ended, in annexation. The scientific Frontier of 1819 was found to be unscientific, and the land which had been restored after the war of 1834 was once more taken possession of. The Colonial Administration forced the hand of the Government at home, and 200,000 square miles of additional territory were annexed—a country as large as the whole of Germany, the greater portion a mere desert, and thousands of miles without a White inhabitant. The natural result of what occurred in 1846 was a fifth war, which broke out in 1850, when Lord Grey, apparently still sanguine, again declared that Great Britain had no interest in further acquisitions. In spite of that declaration, however, the war ended in fresh annexations. One good result, at least, followed the outbreak of 1850. The nation was alarmed at the constant succession of petty wars involving a continuous drain on its resources, both in men and money. Public attention was directed to the subject, and there were frequent debates in Parliament, in the course of which our whole policy was reviewed and criticized. It was curious, in reading the debate of 1851—in which one found the names of so many well-known Members, most of whom had since passed away—to see how strictly it applied to the present circumstances. Mr. Adderley (now Lord Norton) said—

> "The circumstances are these—An apparently needless and hopeless recurrence of Native wars on the frontier of the Colony, equally destructive to the lives, liberties, and prosperity of the Colonists themselves, keeping up a state of hostility with the Native Tribes, and ending neither in their civilization, nor subjugation, and causing enormous waste and extravagance to this country, and great perplexity to the Imperial Government."—[3 *Hansard*, cvi. 230.]

Still more strongly did Sir William Molesworth condemn the policy in South Africa which fomented little squabbles—mere matters of police interference—into wars; and he pointed out how the aggression of the Colonists provoked reprisals, until British troops had to be brought on the scene. These debates produced a great effect on public opinion, both at home and in the Colony; and the result was that, thanks to them, and, perhaps, also to the prudence and wisdom of successive Governors and Administrators, for some 20 years the Colony enjoyed comparative peace and tranquillity. But now all this had been reversed. Once again they were in the midst of a war cycle; once more the war wave had raised its crest; and, with the advent to office of Sir Bartle Frere, the old causes of war were brought into prominence, with the old unfortunate results. In fact, since that advent, there had been six or seven petty wars, to every one of which he might apply almost the same words as those used by Lord Glenelg, in regard to previous Kaffir wars, and say that the Natives were not without some justification in the quarrels in which they found themselves involved. Without referring to the Zulu War, as to which public opinion was sufficiently informed, he would call the attention of the House to others less known, because less disastrous in result and less expensive in prosecution, but not, on that account, less unjust in their inception. If the whole circumstances of any one of these wars could be stated fully in the House by one who had sufficient influence to secure, not only a patient, but a favourable hearing, then the simple narration of the horrors which had been committed in the British name would create such a feeling that, once for all, the recurrence of such things would be put a stop to. If English Gentlemen knew what was being done in South Africa under the British flag in the English name, by men protected by British soldiers and provided with British money, there would go forth such a cry as would be a warning to all Colonial Governors in the future, and would, once for all, bring the Colonial Administration to book. There had been two wars in Griqualand, East and West; but of those he would say nothing in detail, but would simply quote the words of a responsible official—namely, Mr. Southey, late Lieutenant Governor of Griqualand West, who, speaking in his place in the Cape Legislature on June 6, said—

> "He could not undertake to say why the Griquas had rebelled; but he thought that if he had been treated as the Griquas of Griqualand West had been treated he would have rebelled himself, although he was a loyal man, and had a high respect for the British Government."

He must not either say anything about the astounding aggression committed on the St. John's River Territory in Pondoland; but he would call attention to the Transkei War with the Galekas and the Gaikas. Although it was not the worst of these wars, it was important, having regard to the expenditure which it involved and the results which followed it. He would, first, state to the House the cost of this outbreak—both in money and in life. It was stated by Mr. Gordon Sprigg, the Prime Minister, to have cost the Colony the sum of £1,250,000 sterling; but he (Mr. Chamberlain) thought that in that amount was included the ordinary military expenditure which a State must expect to have to bear as a provision for defence and the preservation of internal order. There was, however, in addition to that sum, a charge of £611,000 paid by this country. Therefore, assuming the accuracy of Mr. Sprigg's estimate, the total cost of the war was close upon £2,000,000 sterling. But it would be a mistake to suppose that that sum represented the whole military expenditure in the South African Colonies, exclusive of the Zulu War. From 1871 to 1879 this country had paid £3,316,000 for wars in the Cape, Natal, and the Transvaal, and against that had only received back £163,000. The total expenditure by this country in South Africa was of such a character and of such a magnitude that he did not wonder in the least at a statement made by a Colonist to a special correspondent of a newspaper that, as far as the class to which he belonged was concerned, war beat sugar cultivation into fits, and that as long as war continued the Colony was sure to be prosperous. In 1851 the same idea was expressed in different language. It was then almost a proverb in the Colony that "war would never end till the price of wagons fell." In our most recent experience the price of wagons had exceeded anything known before, and it was not surprising that the High Commissioner's policy was popular with those who found their profit in it. Looking, then, at these wars solely in reference to the amount of money which they cost, it was worth the while of Parliament seriously to consider the causes which had led to them. He should like to know how much of this expenditure the Chancellor of the Exchequer intended to recover? The ordinary Revenue of the Cape Colony was only about £750,000 a-year, and that of Natal £250,000, and he did not see how the £3,000,000 now overdue, and the £5,000,000 or £6,000,000 for the Zulu War, was to be re-paid out of that. Coming next to the expenditure of human life, he found that 193 Europeans were said to have lost their lives in the Transkei, and, in addition, 3,680 Natives were known to have been killed, and there were others of whom no account could be gathered. That was the result of the philanthropic and beneficent rule of which we had heard so much. Now, let the House consider what was the origin of that war. A party of Galekas invited a party of Fingoes to a beer-drinking. One of the Galekas was killed in a dispute with a Fingo, and several petty frays ensued, in which two or three Natives on both sides lost their lives. The quarrel was one of no serious importance, and might have been put down by the police. But it was not to the interest of our Colonial Governors that causes of war should be dealt with in that summary way. One of the Galeka Chiefs, Kreli, was summoned to his presence by Sir Bartle Frere; but he declined to surrender, although he implored that a messenger might be sent to him, and promised that he would receive him and listen to anything he might say. Mr. Eustace, however, to whom the conduct of the matter was left by Sir Bartle Frere, again summoned Kreli, who again refused to surrender himself. Mr. Eustace complained that Kreli had not restrained the Galekas, upon which Kreli retorted that the British Government found difficulty in restraining the Fingoes, and it was to be expected that Kreli would find it difficult to restrain the Galekas. That statement was not made without good foundation, for Mr. Eustace himself admitted that, on two occasions at least, the Fingoes had been the aggressors, and had made raids on Kreli's territory. The Government, however, deposed Kreli from his position as Chief, and confiscated the whole of his lands—a proceeding which seemed to him (Mr. Chamberlain) like that of selling the skin of the lion before the lion was himself taken. The proclamation to that effect was issued on October 5; and on November 13 it was followed by public advertisements, offering Kreli's land in allotments of 3,000 acres and less to intending settlers. It was impossible not to connect this eagerness to dispose of Kreli's land with the arbitrary haste by which Kreli had been almost driven into rebellion. In fact, all our dealings with the Native Tribes of late had been characterized by indifference to the necessary consequences of such proceedings. The idea of our true policy, expressed by Sir Bartle Frere in one of his despatches, was the idea which found favour with the Colonists. Sir Bartle Frere wrote, on December 14, 1878—

> "Experience in every part of the world, but especially in India, proves that it is quite possible for a Native and comparatively uncivilized Power to co-exist alongside a European Power, and to be gradually raised by it to a higher stage of civilization, without losing either its individual existence, or such natural customs as are not inconsistent with civilization. But it is undoubtedly necessary that the two Powers should settle from the first which is to be the superior, and which is to be subordinate."—[*Parl. P.* C. 2,222, p. 211.]

No doubt the Colonists were honestly persuaded of this necessity—they were anxious to settle this question of supremacy—and assuming, as they did, that war must come, they were altogether indifferent to the justice of the pretexts which led up to a foregone conclusion. Kreli having been driven into rebellion, the mischief did not end there. We soon found ourselves committed to a struggle with Sandilli also, who was the Chief of a still more powerful Tribe called Gaikas. What drew Sandilli into the contest was not quite clear; but it was stated that he was induced to join the rebellion by the representations of a Galeka Chief named Mopassa, who had come into British territory when the dispute with Kreli began, and had been immediately disarmed, with his Tribe, in pursuance of Sir Bartle Frere's policy in this matter. This question of disarmament was a very difficult and important one, and deserved more consideration than it had hitherto received. In the first place, it should be borne in mind that the Colonists themselves had connived at the arming of the Native population till very recent times. In six years the Cape Colony had received £750,000 of Revenue from the importation of arms and ammunition. In Griqualand West, under the administration of Mr. Southey, the Natives were tempted to work in the diamond mines by the expectation of obtaining guns and powder. At that time the idea was that it was good policy to put the Natives in a position to hold their own against the Dutch in the Transvaal; but when we annexed that Republic we found ourselves "hoist with our own petard." After paying the Natives with arms, as a kind of truck, thinking they would be used against the Boers, the Colonial Government suddenly turned round and threatened openly to disarm all Natives, loyal or rebel alike, as soon as they found that these arms might be turned against the Colonists. The whole thing appeared to be illegal; but that did not much concern the authorities at the Cape. Arms were taken from the Natives in districts which were not disturbed or proclaimed in accordance with the provisions of the Colonial Act; and, although the rifles were taken, no compensation was given as the Act provided. No wonder there was a general feeling of discontent and disaffection among the Native Border Tribes. *The Cape Argus* said—

> "In the wars which have hitherto taken place the disaffection may have been widespread; but the grievances of each Tribe were local. Disarmament affects all; the Government makes no distinction—every black man, Fingo or Galeka, loyal or rebel, must give up his arms."

He hoped the attention of the right hon. Baronet the Secretary of State would be directed to these proceedings, and that he would take care that they were conducted with some reasonable show of discretion. It was this that led to the rebellion of Moirosi, the Chief whose submission it had since been attempted to compel, by the use of dynamite, to drive him from the caves, in which, with his women and children, he had taken refuge—a proceeding unknown in civilized warfare, and which brought lasting disgrace on the perpetrators. He had spoken of the policy of the Colonists as having been constantly directed to enforcing British supremacy on the Native Chiefs without much regard to the justice of the case. He would now take one illustration, out of several with which he had been furnished, of the method and spirit in which this policy was pursued. The instance which he desired to bring before the House was that of Tini Macomo, a Gaika Chief, whose forefathers had possessed a portion of the land on the south side of the Kei, which was now British territory. This man, some years ago, bought back from the Colonists a considerable portion of the land formerly owned by his Tribe, and settled upon it with many of his people. His presence in their midst was distasteful to the surrounding settlers, most of whom were of Dutch origin. There ensued a series of angry disputes; and it was alleged that Macomo's people stole the cattle of their neighbours, and this, added to their refusal to work for the farmers as day labourers, exasperated the Europeans, who established a post of Fingo police on Macomo's land. The Fingoes were the hereditary enemies of the Gaikas, and Macomo protested in strong language against the proceeding. Thereupon, he was immediately served with a warrant to appear at the Circuit Court, and to answer a charge of rebellion. To show what sort of danger was to be anticipated from this Chief, he (Mr. Chamberlain) might mention that the warrant was served personally by the Deputy Sheriff, who went down alone to Macomo's location for the purpose. Macomo, however, refused to obey the warrant, from a fear, which was not unnatural under the circumstances, that he would be detained as a prisoner. His own father had been imprisoned by the Colonial Government on a somewhat similar occasion, and had been killed in trying to make his escape from confinement in Robben Island, a punishment almost worse than death to a savage accustomed to a free life in the open air. No attempt was made by the Colonial authorities to re-assure the Chief or to settle the quarrel amicably; but a large armed force of 1,200 men, consisting of soldiers, free lances, Fingoes, and others, went at night, burnt all his huts, shot down his people right and left, and carried off women and children to gaol. They were not particular as to the ownership of the cattle they stole, nor as to the particular Tribe of the Black men they killed. In this expedition, not a single man on the Colonists' side was killed or wounded. He had seen a letter from a Colonist on the spot, in which, speaking of this affair, he said—

> "Our proceedings in the Fort Beaufort district have been disgraceful in the extreme. True, there were cattle thieves there; but why go with soldiers and the riff-raff of the country, in the night, to make war on innocent and guilty alike, burn their houses, steal their cattle, and shoot them down like vermin?"

It was an act of bloody, brutal, barbarous murder, and it was time the right name should be applied to an action which almost made a man ashamed to be an Englishman. After this exploit of the Colonial Forces Macomo became a rebel, in fact, and joined Sandilli. He was taken prisoner, and sentenced to be hanged. The sentence had been since commuted to a long term of penal servitude. He might multiply instances of the kind, for he found them throughout the Papers which had been sent home, and considered that they were due solely to the fact that the Colonists knew they were protected from the consequences of their own acts by the presence of the British troops. Sir William Molesworth, in 1851, said—

> "The presence of the troops encouraged, facilitated, and hastened the encroachments of the Europeans on the lands of the Caffres, and on various pleas we took possession of their territories and claimed authority over their chiefs. The Caffres resisted, stole the cattle of the Colonists, and committed numerous depredations. The Colonists retaliated; the troops were called out, and a Caffre war ensued. With the termination of each war we added to our territories, and thus sowed the seeds of more cattle stealing and more wars."—[3 *Hansard*, cxv. 1386.]

He had something more to tell the House than these facts concerning the injustices connected with the commencement of the war. He had to speak now of the cruelties and excesses which had accompanied the prosecution of the war. He was glad, however, to believe, both from information he had received from individuals and from what he had read, that none of these excesses had been committed by British troops. They were due entirely to Colonial troops, and to a class of adventurers almost peculiar to unsettled Colonies, who always came to the front in connection with lawless deeds of the kind he had to narrate. It was one of the most distressing consequences of these wars with inferior races that they had a tendency to brutalize all who were concerned in them, and practices unheard of in civilized warfare were openly avowed and defended in the course of these miserable contests. A good number of Questions had already been put and answered in the House in reference to alleged outrages by British and Colonial troops. In some cases the right hon. Gentleman (Sir Michael Hicks-Beach) had been able to contradict the statements which had been made; and, no doubt, there were often great exaggerations. But having carefully looked through the Papers, and having conversed with several gentlemen who had lately returned from the Colony, he (Mr. Chamberlain) was afraid that where there was so much smoke there was some fire, and even if the worst stories were untrue, yet the state of feeling among many of the Colonists was such as at least to make these outrages possible. No doubt, there were some men of a curiously depraved imagination, who actually boasted of offences they had never committed, and took a strange pride in making themselves out to be worse than they really were; but, making all allowance for this perverseness, he did not see how the cases he was going to quote could be satisfactorily explained away. Thus, he found that Mr. Justice Dwyer, in his address to the jury, on opening the adjourned Circuit Court at King William's Town in April last, stated that—

"They all knew that the Kaffirs were often fired on in a most wanton manner. He mentioned as an instance that, as he was coming from Grahamstown, just after passing the Kieskama, he noticed an old Kaffir in a red blanket going along the side of the road quite harmlessly, and without any arms. Directly afterwards they heard firing, and, looking back, saw that one of the passengers in Thomas's cart, and one, if not more, of the police had fired at this old man without any provocation or reason."

In another case, a coloured corporal, named Jackson, went out with a detachment of men, and coming across a party of Kaffirs, a party much smaller than his own, shot one of them dead without more ado. Those Kaffirs turned out to be loyal men, and Jackson was sentenced to three years' hard labour. So far there was nothing very remarkable, save that the retribution for the offence was altogether insufficient. What, however, called for comment was the way in which the conviction was received in the Colony. Numerous meetings were held, attended by persons of alleged influence, and, in reference to the point, he would read the following extract from *The Port Elizabeth Telegraph*, dated July 23, 1878:—

"A public meeting was held with the view of obtaining a remission or commutation of the sentence passed on Charles Jackson for shooting a rebel. Commandant Sprigg (brother of the Colonial Secretary) said—'I might be brought up on a similar charge to-morrow. If I do not go out of the corps in which I have served, I could go and swear information against five officers who are as bad or worse than Jackson. The five officers would include Commandant Brabant and myself. If these prosecutions are to be, let us have some of the big ones in. Here are five men who are guilty of very similar crimes for which Jackson has been sentenced. I defy, I dare, the Government to prosecute all those five; and I am ready to supply all the information requisite.'"

If this was the spirit in which the Colonists treated such a question, was it not likely that many similar outrages were perpetrated of which no one in England ever heard? Here was a Commandant in the Colonial Forces, a brother of the Prime Minister, publicly accusing himself of crimes for which another man was justly undergoing a felon's punishment, and clamouring to stand beside him, and to be written down a scoundrel. He would next quote an extract from a Correspondent's letter, dated January 11, 1878, which appeared in one of the Colonial papers—

"If the men marching against Sandilli will take my advice, they will shoot every black face they come across; let the expression 'cold blood' be cast from your minds; shoot every Kaffir you see, whether he shows fight or not, always remembering the deaths of those three good and valued men who were so murdered and mutilated at the Kwelegha. Don't listen to the cry of 'We are "school" Kaffirs fighting for government;' depend upon it they are as bad as the rest, if not worse, as their education ought to teach them better, the uncivilized barbarians."

He did not desire to press too far the conclusions which might be drawn from such a letter as that, but it must be assumed that the writer knew something of the public he was addressing; and if a statement of that kind could appear in a newspaper without a universal cry of horror and indignation, did not the House think it was possible that men might be found bad and base enough to take the advice thus given? He would give two other instances, with the view of showing what value was attached in the Colony to a black man's life. A Swede, named Mark, was brought up at the King William's Town Circuit Court, presided over by the Chief Justice, and charged with shooting a Kaffir, who was out on an errand from an English magistrate. His defence was that he thought the man was a rebel. He was found guilty, recommended to mercy, and sentenced to one year's imprisonment. At the same Assizes a man of Dutch extraction, when passing some Kaffirs, who were going quietly along the road, turned round, and, without the slightest provocation, shot one of them. The Judge told him he had been guilty of an act of pure devilment, but only sentenced him to three years' hard labour. At the same time, a son of the Chief Sandilli was charged with rebellion, and sentenced to 20 years' penal servitude. He pleaded guilty, and said, in his defence, that he had only obeyed the commands of his Chief. He added that he had killed no one, neither man, woman, nor child. Therefore, for shooting a Kaffir without cause, a man was only sentenced to three years' imprisonment; whereas another man, for the simple act of rebellion, was sentenced to 20 years. These things, although, perhaps, not done by men of our blood, were done by people under our authority, and we were morally responsible for them, so long as English soldiers were employed, and English money expended in protecting the Colonists from the consequences of their injustice and wrong-doing. And our responsibility did not cease even with the termination of the war. At that moment the English flag was covering a system of openly taking men, women, and children belonging to the Native Tribes and placing them in what was called forced labour, but which, he ventured to say, the House would be unable to distinguish from Slavery in its worst form as it once existed in the Southern States of America. It was pretended that the object of these arrangements was to save the women and children of rebels who had been slain in the war from starvation; and the right hon. Baronet opposite the Secretary of State for the Colonies had, until recently, been under the impression that the system was purely philanthropic; but he thought that within the last few days the right hon. Gentleman had seen very good reason to doubt the accuracy of his opinion. It was undoubtedly the fact that while the men were in the Bush their wives and children were kept separated from them by the act of the Colonial Government, and others were kept in actual slavery—being allotted out to different districts. In the Papers just presented to the House there appeared a copy of a Proclamation, signed by the Secretary for Native Affairs, declaring that it was inexpedient to grant passes to Kaffirs for the purpose of fetching their wives and families who were indentured in the Western Province, and directing all commissioners and magistrates to refuse such passes accordingly. He (Mr. Chamberlain) had only recently had the pleasure of conversing with a gentleman, representing an American newspaper at the seat of war, and that journalist had told him that he had himself seen a cargo of women and children, many of the latter not more than two years old, brought down to be placed out in the East London district. Their husbands were fighting or fugitives in the Bush; the elder children had been stopped and placed out with the farmers on the Frontier, while they themselves were going to work many miles away. In 1878, thousands of Native men, women, and children, some of whom were the families of men in rebellion, and others were starving, consequent upon a severe drought and political disturbances, were sent by shiploads to Cape Town, and moved by other means to the Northern and Western districts of the Colony. Government called upon all persons who wanted servants to apply for them to the several magistrates or special officers, and this invitation was very freely accepted. Men, women, and children were allotted to applicants at a very low rate of wages, and in many cases for no wages at all, by the officers of Government, who always stipulated for clothing and rations—the clothing clause was a dead letter from the very first, excepting in a few rare instances; and the rations were so poor and insufficient that Government had to publish a notice on the subject, and to fix the amount of food the people ought to get. The compulsory indenture of these people was not provided for by law excepting in this way—there was an Act rendering it penal for them to be in the Colony without a pass, unless in service; so, after being conveyed into the Colony, they had to choose between going to gaol, or going into service on terms and for periods in which they had no voice whatever. Families were in this way divided, children torn from their parents, and husbands from their wives. The young were treated as destitute children, and indentured accordingly, as farm servants, for longer or shorter periods, according to ages in most cases, till they were grown up, in opposition very often to the letter and spirit of the law; and, in all cases, to the spirit of it. Even when the letter was observed the system was exactly the same as that which was prevalent in the Transvaal, before annexation, and with which we found so much fault. The Cape Dutch said, and their sentiments had been echoed by the majority of English Colonists—

> "At last the English Government is adopting our plan; they see that schwart schapsals (the black creatures) were meant to be the white man's slaves, and they are acting accordingly."

Was there anything to distinguish such a system from the worst form of South American slavery? When the Boers practised it we had no words strong enough to express our horror, and it was even made one of the grounds of our interference in the affairs of the Transvaal. But it was openly and undisguisedly carried on under English authority. He would admit that the right hon. Gentleman had called the attention of Sir Bartle Frere to the question; but he (Mr. Chamberlain) feared that was poor satisfaction. They would get replies which would probably tell them of the beneficence of the law which he had shown was constantly evaded. Unless there was somebody on the spot intrusted with the duty of putting things straight, in spite of all opposition, he was certain the present state of affairs would continue until such time as a reform would come too late for some of the poor creatures to profit by it. The Prime Minister of the Colony, the Hon. Mr. Sprigg, in a recent speech at Cape Town, remarked that no good impression could be made upon the old people, but that it must be made upon the young; and for this purpose he actually proposed to bring the children from their families, and to put them out to compulsory service. In a succeeding passage the hon. Gentleman said—

> "I quite agree with Dr. Ross that it would be a good thing to bring down every year a certain number of young people from the locations and put them out to compulsory service. But if we do that, we must be prepared to meet with strong opposition from home. During the late war we brought down some 5,000 or 6,000 people from the Frontier, who were settled down here, and, in consequence of that, the attention of the House of Commons is to be called to the great cruelty we were guilty of in bringing them down here and sentencing them to compulsory service in Cape Town. I myself should be very glad to carry out the scheme suggested by Dr. Ross; but it would be said if we did so that we were endeavouring to set up slavery in the Colony. But that charge ought not to be a sufficient reason to prevent our doing so. We are not to be dismayed by public opinion in England, for we have the government of the Colony in our hands, and understand better how to manage Natives in this Colony, how to administer the government for their benefit, and how to lead them on step by step to civilization than any man in England."

He asked the House whether it was tolerable that this thing should continue to go on, and be covered, as it were, by their English responsibility, and that millions of money should be taken from the British taxpayers for the benefit of gentlemen who publicly repudiated any deference to English opinion? Let him just recall the fate which had befallen these so-called rebels. Thousands of Natives in the Transkei War had been killed; thousands more had died of starvation; the survivors had had their lands taken from them, and had seen their huts burnt, and their women and children enslaved. Surely those wretched people had suffered more than sufficient retribution. But what had been the treatment of the loyal Natives? After submitting themselves to English authority, they were ruthlessly deported to a new location which was totally inadequate for their support. Government sent Mr. Brownlee to "make known its word" to the loyal Gaikas of Sandilli's Tribe, and this was what Mr. Brownlee was reported to have said—

> "If you do not go willingly, you will get yourselves into trouble and force will be used. Government says go, and you must go. Place no difficulties in the way as to invalids or cattle. I say again, the sooner you go the better for you."

Fifteen thousand Natives, loyal and rebel alike, were driven into a territory 26 miles by 12, which, as he had said, was quite insufficient to support them. A correspondent of *The Cape Argus*, who said it was heartrending to know that half-starved people were driven like slaves from their homes, which were then committed to the flames, and that the sick were abandoned in the open air, asked whether these things were done by a Christian Government? The question for the House was, whether they were approved by a Christian Government? In the Resolution he had placed upon the Paper he invited the House to resolve that an humble Address be presented to Her Majesty, praying that an impartial Commission should be sent out to investigate the allegations which had been made. Commissions had been appointed on previous occasions with a like object in view—notably, in the case of Jamaica—and it appeared to him that he had made out, at all events, a sufficient case for a careful, impartial, and an immediate inquiry. If they did not do that, what alternative was suggested? We could not leave things as they were, nor could we adopt Sir Bartle Frere's policy, which would involve us in war with the Native Tribes until we had reduced them to slavery to prevent them "festering in idleness." He said, on page 1,447 of the Papers, C 2374—

> "It must be a fundamental principle that the supremacy of the British Crown as representing civilized government should be unquestionable in any Native State, surrounded as the Zulus are by British subjects and their Allies."

And, again—

> "Large masses of uncivilized Natives must not be left within our own dominions to fester in idleness."

Sir Bartle Frere in his latest despatch still urged on Her Majesty's Government his old policy—still unchanged by what had happened, still unconverted by the unhappy results we had experienced; and he (Mr. Chamberlain) was of opinion that unless this headstrong Governor was either recalled or controlled by a most stringent instruction, sent to him by Her Majesty's Government, we should find that shortly we should be involved in further troubles. Her Majesty's Government appeared still to incline to the policy of Confederation; but a Confederation would lead to a policy in which Dutch influence would be predominant, and what that meant we knew from Sir Bartle Frere's earlier despatches, which stated that the Dutch Boers derived their notions of the rights of the Natives from accounts in the Old Testament of the dealings of the Hebrews with the Tribes whom they encountered. He admitted that the question was an extraordinarily difficult one, and that was why he did not desire that his Motion should be considered a Party Resolution. It seemed to him that the question was one upon which all Parties might fairly combine, in order to endeavour to prevent the recurrence of the evils which all persons alike deplored. One thing he, however, hoped the British Parliament would not do—namely, that it would not sit down in the spirit of Mahommedan fatalism and accept as the manifest destiny of this country that, in spite of repeated protests, headstrong officials at the Cape, or circumstances of any kind, should be too strong for us, and should prevent the execution of a policy upon which we had determined. The hon. Gentleman concluded by reading the Motion of which he had given Notice.

Mr. SPEAKER pointed out that the hon. Member could not now move his Resolution as an Amendment.

Mr. W. H. JAMES said, he would have seconded the Motion, if the Forms of the House had permitted his hon. Friend the Member for Birmingham (Mr. Chamberlain) to move it. In the consideration of questions of Imperial interest, there was some danger of a subject of this kind being lost sight of; and, therefore, his hon. Friend had done well in calling attention to the matter. The condition of the Colony was very unsatisfactory when it was described by Mr. Froude, and he (Mr. W. H. James) believed that it had got much worse since. It would appear, from the statements of Judges made upon the Bench, that Natives were wantonly murdered; in consequence of which retaliatory proceedings were taken by the Natives, as appeared from an article in *The Revue* *des Deux Mondes*, the writer of which dwelt upon the dangerous condition resulting from the uncomfortable feeling that prevailed between the White and the Black races in South Africa. On the occasion of a disturbance in Griqualand East, which arose out of a squabble in a booth or tent, two Chiefs were arrested. One of them escaped into Pondoland, returning some time afterwards with a Pondo Chief and a number of Griquas. They were met near the capital by a force of Colonial police. The Pondo Chief hoisted a flag of truce, but it was disregarded. The police attacked, and a number of Griquas were killed. The prisoners taken were, it was said, to be tried as prisoners of war; but now it was understood they were to be treated as rebels, as others had been who were now working as Colonists, which was exceedingly unjust and unfair. He hoped the right hon. Gentleman would give the question some attention, and, if he found it possible, permit these poor people, after the war was over, to return to their homes. He threw out the suggestion to the right hon. Gentleman, if he were anxious to redress the wrongs and woes which had sunk deep into the minds of the Native population, whether it would not be advisable to take that course, and by an act of justice grant free pardon to all who had been implicated in the late rebellion. He did not wish to claim any monopoly for those who sat on that side of the House for humane sentiment, and he appealed to hon. Members opposite to aid them. There was no doubt that the Colonists were in favour of war. The speeches made by them at public meetings in aid of Sir Bartle Frere's policy proved that. He earnestly hoped that a new start would now be made, that a new policy would be adopted, and that all who were concerned in the late rebellions would be amnestied. He would be surprised if we ever got a penny from the Colony for the expenses of this war. The remedy which was required was very plain and practical, and, as a part of the new policy, he trusted that no assistance of a military kind would in future be given to the Colonists. A promise to that effect had been given by Lord John Russell, in reply to a Question put to him by Sir De Lacy Evans as far back as the year 1851, and it had frequently been mentioned since. In future, that policy ought to be strictly given effect to. They might take a useful lesson from what had happened in the case of New Zealand. If they were to deal with the Cape Colonies in the same way as they had dealt with New Zealand, the recurrence of those Native wars would be most improbable. In the old days of the Colonies of America, the Colonists used to drink to "The Memory of the Last War, and the Success of the Next War;" and he much feared that some such sentiment existed among the inhabitants of South Africa. He disapproved of the policy of Sir Bartle Frere, who had encouraged the sending of troops to the Colony, instead of discountenancing the practice; and he was satisfied that unless the Government should write in the very strongest terms to the effect that England would not be willing in the future to incur the expense involved by the employment of her soldiers in South Africa, there would be an indefinite prolongation of such wars as that which we were now waging. He contended that it was hard upon our soldiers that they should be engaged in filibustering wars, and would conclude by expressing a hope that the Government, in order to promote a policy of peace in South Africa, would remove, as soon as possible, all the Imperial Forces which had been sent out to our Colonies in that part of the world.

MR. JUSTIN M'CARTHY said, that a more interesting and instructive speech than that delivered by the hon. Member for Birmingham (Mr. Chamberlain) had seldom been made in that House. The most noticeable point about the speech to which he referred was the significant manner in which the hon. Member was able to show that these South African wars had all begun, been carried on, and ended in the same way. The lesson which he (Mr. Justin M'Carthy) desired should be drawn from the present state of affairs was that the Government should now open a new chapter in connection with our rule in Africa; that they should either form a policy of their own and adhere to it, insisting upon its being carried out; or they should allow the Colonists to form a policy of their own, and carry it out at their own responsibility and risk. So long as we sustained the Colonies in any policy in which they chose to indulge, so long hould we find ourselves engaged in incessant and constantly recurring wars. The wars of South Africa always began in the eagerness of the Colonists to obtain the land of the Natives. It was time, he thought, that we should put an end to what was the most shocking chapter of our history; but the chapter would not be closed until a radical change of policy should have been effected in our African Colonies. He feared that no such change could be expected from Sir Bartle Frere, for what indication was there of an intention on his part to treat the Imperial Government as a master instead of a servant? There was a passage in Shakespeare which said—

> " —— You know the man;
> How unremovable, and fixed he is
> In his own course."

Well, he hoped that, however fixed the policy of Sir Bartle Frere might be in his own mind, the Government would be able to show that they were stronger than the High Commissioner, and that he was not unremovable. He confessed that there was nothing he dreaded more in connection with their Colonial affairs than a Clive in a wrong place, or a Warren Hastings out of time. He was not, however, without a certain admiration for that tenacity of purpose and faith in himself which Sir Bartle Frere had shown. No one could read through his despatches without feeling a certain regard and admiration for that power and resolve; but he thought it would be a great mistake if the Government were to allow that kind of personal policy to prevail, since it must lead to nothing but constantly recurring wars in South Africa. Now, it was time to put a stop to that, or if they would not put a stop to it, then to accept that as their national policy, and once for all drop their hypocrisy on the score of Russia and other Powers who believed in their manifest destiny to fulfil a certain civilizing mission. He hoped that, from that time at least, this country would start a better chapter of South African history; but that could only be done by the Government either maintaining a policy of their own, or leaving the Colonists to their own policy and to their own responsibility. He would earnestly appeal to Her Majesty's Government to be strong and just in their policy towards South Africa in the future.

Mr. A. M'ARTHUR said, he thought it was clear from what had been said in the course of the debate that many things had been done in regard to the Native races, not only in South Africa, but also in other Colonies, of which this country had cause to be ashamed. He agreed with his hon. Friend the Member for Gateshead (Mr. W. H. James), that the withdrawal of the Imperial troops from the Colonies had a good effect. He was certain, from his own observation, that it had caused the cessation of hostilities in New Zealand, and he believed the same result would follow their withdrawal from the Cape. It must, however, be borne in mind that in the former case the Maories, though brave and warlike, were comparatively few in number, and that the Colonists were able to defend themselves. It would, therefore, be unfair to compare South Africa with New Zealand owing to the overwhelming number of Kaffirs and other tribes to be dealt with in the former country. He considered that the present war should be brought to a speedy close at any sacrifice, and at any cost—he did so in the interest of humanity; and that the Government should then give the Colonist to understand that in future they must, under all circumstances, defend their own Frontiers and conduct their own wars; and if that were done he believed that we should have fewer wars on hand than we had at present.

Mr. HERMON desired to say that the feelings which had been expressed on the other side were, to a certain extent, shared by hon. Members on that side. He had listened with pleasure to the speech of the hon. Member for Birmingham (Mr. Chamberlain), who had placed the facts before them in such a forcible manner, and with such great moderation and ability. He must, however, admit the grave difficulties encountered by the Government in dealing with the question. He thought when they remembered that in the case of Colonies such as the Motion referred to they were dealing with a White population which numbered only some 20,000, while the Natives were, perhaps, a hundred times that number, they could but be right in taking some opportunity of impressing upon Her Majesty's Government the extreme caution which they ought to exercise in selecting the people to undertake the administrative duties. It was true they could not dispute the facts as brought forward by the hon. Member; and he wished to call the attention of the right hon. Gentleman the Secretary of State for the Colonies to the desirability, not only of speedily terminating the present war, but also of taking steps to prevent the recurrence of a similar outbreak.

MR. E. JENKINS said, he was gratified at the pleasant character of the debate, and he believed that on both sides of the House there would be found a unanimous expression of opinion with regard to the case so ably put before them by the hon. Member for Birmingham (Mr. Chamberlain). He understood that the Secretary of State for the Colonies and the Government were placed in a very difficult position with regard to the serious problem which existed as to our relations with the South African Colonies. He was sure that all of them had sympathized with the Government in the dilemma in which they were placed by recent events, and he hoped that in making any criticism upon the action of the Government he would not be supposed to entertain any Party feeling in the matter, for he honestly desired to make every allowance for the difficulties which the British Government had had to encounter. His hon. Friend had pointed out in his speech, which was not historically correct, but exhibited a perfect appreciation of the position, what was the nature of the policy which had been forced on Her Majesty's Government by the combined efforts of the local Legislatures and the Representative of the Government of England in the administration of the Colony. Well, they had a right to criticize the Government with regard to its policy, and the first question which arose was, how was it possible for such a state of things to come into existence, when they had the Colonial Office in constant communication with the Colonies, provided with constant information on every act which took place, and keeping a sharp look-out—for if they did not they would soon be reminded of their duty by outsiders on all that took place—how was it that in these circumstances these successive wars had been allowed to arise, and that a very strong amount of repression had not been placed upon them by the Government at once? He did not blame the Colonial Office for not being able to force their will on the authorities of the Colonies. The real difficulty was the inability of the Colonial Office to force their will on the local Legislatures, particularly when that influence was combined with the influence of a headstrong Representative of the Home Government. There was no doubt as to the facts, and the Government would have been almost free from blame if they had not accepted Sir Bartle Frere's policy, and backed him up and supported him with almost Party virulence. If it had not been for that, he (Mr. Jenkins) would not have attached any direct responsibility to the Government in the matter. In spite of the views held upon the subject by the hon. Member for Liskeard (Mr. Courtney), he (Mr. Jenkins) was not one of those who believed that what had taken place was a necessary consequence of the annexation of the Transvaal. If a correct policy had been followed after that act, he did not think the facts which were now complained of would have happened. This, as the hon. Member for Birmingham had pointed out, was only the culmination of a principle which had inspired the policy of the various Governments of the Cape up to the present time. Well, now the House had not only to consider the frightful results of the events of the last few months, but something more. In spite of the remonstrances of the Government, they found there still remained at the Cape a High Commissioner, who referred in his last despatch to his views formerly expressed, and seemed to give an indication of his intention to carry out a policy which the majority were anxious to repudiate. His hon. Friend the Member for Birmingham had proposed to send out a Commission to take information on this subject, as they were thoroughly convinced that they could not rely on the official information with which they were supplied. As to the correctness of his view on the subject of the information furnished there could be no mistake. Anyone who examined their Blue Books, and compared them with the information they got outside, would at once see the truth of that view. Attention had again and again been called to the fact that if information was wanted it was not to be had from official sources, and that they had to resort to extraordinary means in order to obtain it. But the question here was, what was the use of sending out a Commission, when they knew the exact nature of the problem they had to solve? What hope was there that it would show them any way out of their difficulties? It had been suggested that they should carry out the New Zealand policy with regard to the Cape Colonies; but he was sure the right hon. Baronet the Secretary of State for the Colonies would repudiate that idea. Was the right hon. Gentleman prepared to withdraw the troops from the Cape, and allow a war of extermination to go on between the Whites and the Native races? That must be the inevitable result of withdrawing the troops, and they could not do that. Every humanitarian sentiment in the country would revolt from such a course. We were responsible as a nation for the position of our fellow-countrymen there, and we could not allow them to commit any acts which would be discreditable to the nation. Then, what was the alternative? If the troops were withdrawn, and they threw the responsibility on the Cape Legislature, then they must give to that body the right to do as it pleased. If not, if we supplied them with troops, we must at the same time limit their right. We must do one thing or the other; that the House should distinctly understand. In this case, he thought they could not pursue the New Zealand policy; or, at all events, not for some years to come. It might be gradually introduced, but it was not practicable now. Well, that being impossible, the country ought to know that the responsibility rested on us, and would rest upon us. The only alternative was for a while, at least until we had succeeded in tiding over present difficulties, to increase the power of the High Commissioner—he hoped another one would be appointed—and to restrict to a certain extent the powers of the local Legislatures. We must not continue to be hurried into wars by petty Legislatures. The House quite appreciated the difficulty of the situation. He could not conceive of anyone coming forward, whatever his influence or authority, and saying what should be the policy of the Government. Therefore, all they could do was what had been done by his hon. Friend the Member for Birmingham that day. He had shown them the frightful results of the policy which had been pursued, and asked them, at all events, to give some sort of assurance that they felt the gravity of the circumstances, and that steps would be taken to tide over the period, which must be, for many years to come, one of difficulty and trouble.

SIR MICHAEL HICKS-BEACH said, he was sure he could not in the slightest degree complain on his own part, or on the part of the Government, of the course of the debate, or of the speech of the hon. Member for Birmingham (Mr. Chamberlain). They all appreciated the fact that the problem before them was one of exceptional difficulty, a problem, perhaps, unique in the history of Colonial administration. Therefore, the hon. Gentleman had very properly treated this as by no means a Party question — a question with regard to which, though he felt it to be his duty to bring it before the House, he did not attempt to lay down any definite line of policy; but he was anxious to express, from his own point of view, his desire to support the Government in their attempts to deal with it. There were two points which he (Sir Michael Hicks-Beach) wished to dismiss with a few words. First of all, the suggestion that the Native question in South Africa was identical with the same question in New Zealand. All those who had looked at the matter would see that, owing to the respective numbers of the White and Native population in South Africa and in New Zealand, the circumstances were as distinct and as dissimilar as any two cases could be. The second point was the suggestion—for it was no more—of the hon. Member for Birmingham that a Commission should be appointed to go out to South Africa to deal with this question. The hon. Member did not press this himself, and the speakers who followed him had not treated it as a practical proposal. He (Sir Michael Hicks-Beach) thought that it could not be so treated, because it must be remembered that they were dealing, not with a Crown Colony like those to which previous Commissions had been sent, but with a Colony to which responsible government had been given by Parliament; and whether he looked at the proposal as viewed from the effect which the appointment of such a Commission might have on the Black races of South Africa, and the excitement that it might cause in their minds, already sufficiently excited by what had passed; or whether he looked at it from the point of view which the Colonists, to whom had been intrusted the management of their own affairs, would be disposed to take, he thought that from neither point was the proposal one which could be considered as a satisfactory solution of the present difficulty. No doubt, in the view of some hon. Gentlemen, a Commission of Inquiry might be desirable merely to obtain information; but, speaking on behalf of the Government, he would venture to state that he had complete confidence in the information supplied by the High Commissioner—he might say the two High Commissioners—now in South Africa; and, so far as any inquiry was concerned, he was convinced that no inquiry would be conducted more effectively by any Commission than it would be by the High Commissioners. He must refer now to the main arguments of the able and eloquent speech of the hon. Gentleman the Member for Birmingham, who said that the history of South Africa was a history of periodic Native wars. That, he (Sir Michael Hicks-Beach) feared, was too true. But as that had been the history of South Africa long before Sir Bartle Frere went there, it did not appear to him to be fair of the hon. Member at the same time to blame Sir Bartle Frere as the cause of it, and to accuse Sir Bartle Frere of having begun six or seven wars, as to every one of which the Natives had justice on their side. The hon. Member said that, in his opinion, all these wars to which he referred had arisen from the greed of the Colonists leading to land disputes with the Natives, and that the Colonial Administration had forced the hand of the Government at Home; but that our state of knowledge did not allow us to go to the underlying causes of these outbreaks. He (Sir Michael Hicks-Beach) had endeavoured to make himself acquainted with the origin of these incessantly recurring wars in South Africa, and he might put forward a view with regard to this point which was not merely his own, but the view of men to whose knowledge and authority everyone would defer. So far from agreeing with the hon. Member, that those wars had been due to the greed of the Colonists for the land of the Natives, he believed they were due to two facts, in which the history of South Africa among our Colonial possessions was unique. The first was the movement of the Whites to the North, and the second was the movement of the Blacks to the South. There had been constantly, ever since the British annexation of the Cape Colony, a desire on the part of a certain number of White inhabitants of that Colony for political reasons to push forward into the wilderness to the North. What had that led to? It had led to contests between them and the Native Tribes in whose territory they found themselves — contests attended by circumstances which all regretted and deplored. He could not blame the emigrant settlers for the circumstances which occurred: they were few against many, and were fighting for their lives. But the contests arose, and then the attention of Parliament was from time to time called to the facts; the danger arising from them to our settled Colonies was urged, and a further extension of our Dominions was found to be necessary. But these wars had sometimes arisen without any action of this kind on the part of the Whites. Look at what occurred in the years between 1835 and 1846. In 1835 Lord Glenelg repudiated the action of Sir Benjamin D'Urban, who had annexed the territory between the Kei and the Keiskamma, and directed withdrawal within our former boundary, giving the land from which we withdrew over to the Native Tribes under their Chiefs. What was the result? The result was repeated acts of cattle stealing on the Border by those very Native Tribes, in spite of the Treaties with the Chiefs to whom the land had been restored. No redress could be obtained from those Chiefs. Treaties of a more stringent character were tried; but they were also broken. Prisoners were rescued and murdered within the Colony, and at length the necessity arose of taking measures for the restoration to the Colony of the authority over the land, and thus Lord Glenelg's policy was reversed. That was an instance of the working of the second cause to which he had referred. The extension in this case was not due to any greed on the part of the Colonists; it was due to the pressure from the North of the Black Tribes, who, pursuing pastoral rather than agricultural habits, increasing largely in numbers from the comparative peace which they enjoyed, owing to the neighbourhood of the Colony, and pressed on the other side by Tribes from the North, desired, on their part, an extension of their boundaries to the South. He would return to the other point—the desire of the Colonists to press to the Northward. There was a strong instance of that in the case of Natal. What occurred? Some considerable bands of Dutch Colonists migrated from the Cape to Natal, being mainly led to do so by the reversal of the policy of Sir Benjamin D'Urban, and certain restrictions which had been placed upon their relations with their Native servants. Disputes arose between the Dutch and the Natives, and disturbances followed, there being cruelty on both sides. Danger arose to our organized Colonies, and the Home Government had to interfere, and how was that interference brought about? In 1840, after authentic information had been received of the massacre of some of the Dutch pioneers by the Zulus, the position of those who remained was regarded as so dangerous, not only to themselves, but to the safety of the whole European element in South Africa, that the Government was obliged to extend its possessions by the military occupation and annexation of Natal. That extension was absolutely advocated at the time by the Aborigines Protection Society, in the interests of humanity, against the reluctance of the Imperial Government. Such instances as these which he had given showed the real causes which had been at work in our connection with South Africa, and that the cause of the various extensions of territory was not, as the hon. Member for Birmingham had stated, the greed of the Colonists for the land of the Natives. The hon. Gentleman went at great length into the circumstances which accompanied and followed the Transkei War, and he referred to the policy of disarmament of the Natives, which had been adopted after the conclusion of that war. The hon. Member told the House that it brought about not only Sandilli's outbreak, but also Moirosi's in Basutoland. Judging so far as he could from the statements he had received and laid before the House, he (Sir Michael Hicks-Beach) did not believe the policy of disarmament had anything to do with either of these outbreaks. Then the hon. Member said that this policy was carried out illegally, and without any discrimination. On the contrary, it had been carried out, he believed, with the utmost care and caution by the Cape Government, and if there had been any breach of the law it would, no doubt, be questioned by the Opposition in the Assembly at Cape Town. He did not agree with the suggestion of the hon. Member, that the possession of arms generally by the Natives of South Africa was a desirable thing. He thought it was an extremely undesirable thing; and to the confidence in their own strength, which the Natives had derived from it, was, in his opinion, mainly due the late series of wars, at the conclusion of which, he hoped, the country had now arrived. Then the hon. Gentleman referred to the question of indenturing Natives; but he did not quote the despatch of July 3 to Sir Bartle Frere. In that despatch, which had been laid on the Table, he (Sir Michael Hicks-Beach) had expressed the views of the Government on that subject; and they were, he thought, in accordance with those held by hon. Members on both sides of the House. If the notice issued by the Cape Government was accurately reported, it was a notice which was not justified by anything which had been reported to him, and he had taken such steps as were in his power to deal with the matter, remembering that although it appeared to be authentic its authenticity had not yet been ascertained, and it was, in any case, only right that an opportunity for explanation should be afforded. The hon. Member had also referred to the speech of Mr. Sprigg, the present Prime Minister of the Cape of Good Hope. He (Sir Michael Hicks-Beach) should receive with reserve the reports of speeches made at dinners in the Colony, unless he knew from what source the speeches were quoted. The report which had been quoted might have been obtained from an Opposition newspaper, and he was afraid that Opposition newspapers in the Colonies were often not more scrupulous in their treatment of Members of the Government than Opposition newspapers in other countries. No doubt, if the report quoted were correct, the sentiments enunciated were entirely objectionable; and he did not doubt that in that event the influence of the Governor of the Cape Colony ought to be, and would be, exerted in the direction which they would all desire. Hon. Members opposite attributed to Sir Bartle Frere grave misconduct with reference to the Zulu War; and on this they seemed ready to heap any number of other charges. He (Sir Michael Hicks-Beach), however, did not know any charge which could be made against Sir Bartle Frere with less justice than that of attributing to him, as the hon. Member for Birmingham had done, a desire to introduce forced labour into South Africa, or indifference to anything which could be characterized as similar to slavery. Any such conduct would be contrary to the whole history of Sir Bartle Frere's life and action. The hon. Member next dealt with the way in which the Gaikas had been removed to Galekaland, and he referred to the correspondence of an Opposition newspaper, *The Cape Argus*, containing certain opinions on that point. It was only right to hear also the story as told by the Ministry themselves; and he would read two paragraphs from the speech of Sir Bartle Frere at the opening of the Cape Parliament. Sir Bartle Frere said that he was glad to be able to state, on the testimony of the magistrates and of the Gaikas themselves, that their removal was carried out without hardship, and had been attended with the happiest results. The sale of intoxicating liquors was strictly prohibited, and, instead of indulging in idleness and dissipation, they had settled down to agricultural labour, and promised to be distinguished as a peaceable, orderly, and law-abiding people. As to the allegation that the number of the Galekas had been reduced from 80,000 to 15,000, it was to be remembered that the higher calculation of their number was anterior to what was known as the cattle-killing madness in South Africa, in which, by the mad action of the Kaffirs themselves, there was a large destruction of their supplies of food, and numbers of them perished. In addition to that, they had to bear great suffering from drought. Sir Bartle Frere stated that most of those who objected to the removal of the Gaikas at first now admitted that it was good for the Gaikas themselves, and they unanimously approved the prohibition of the sale of intoxicating liquors, and of the system of giving individual titles to the land. The hon. Member related—and a painful relation it was—the stories which had reached him of the cruelties committed in these wars. He should be the last to defend any such actions as those which had been described; they were a disgrace to any who perpetrated them, and they reflected disgrace upon us in this country. But he must again remind the House that many of these stories, coming from the correspondence—often, of course, anonymous—of Opposition newspapers, were liable to, at any rate, the suspicion of exaggeration. When the hon. Member composed the sentences passed on White men for crimes committed against Natives and the sentences passed on Natives for crimes committed against White men, it was impossible to follow him in such a comparison without a knowledge of all the circumstances of each case; and, in fairness to the Colonists, statements of the kind ought not to be too readily believed. He was bound to say that some of them, into which it had been his duty to inquire, had been proved to be unfounded; and with regard to others, as the hon. Member admitted, the Colonial Government had discharged its duty by dealing with them promptly and satisfactorily. He feared it was but too possible that there had been actions in these wars which would be liable to the strongest epithets which had been used with regard to them by the hon. Member for Birmingham. But we must remember that this Parliament, some years ago, gave to the Cape Colony the benefit of responsible government; and it was the duty of the Government of the Cape Colony, with which alone it rested, to deal with these matters as they occurred and properly to punish the authors of these crimes. How was it that any circumstances of the sort could have occurred? We ought, he thought, to picture to ourselves precisely the position of affairs at the Cape. There was, unquestionably, a general rising among the Native races, or, if not a general rising, a general feeling of dissatisfaction against the White population of the Colony, who were comparatively small in number, and were often so scattered among almost innumerable Natives as to be comparatively powerless in the event of an outbreak. We were bound to make allowance for men placed in this position; and while we ought to expect from them that, as British subjects, they should be guided by feelings of humanity, he should be disposed to attribute any cruelties that might have occurred to the position in which they were placed, and not to blame the Colonists themselves so much as the system that had been pursued. We had given to South Africa responsible government, and when we gave it we did not accompany it with that which would have secured proper administration with regard to the Native races. We did not take measures to secure that, with the responsibility of administering their own affairs, the Cape Colonists should also undertake their own defence against Native aggression or insurrection. If he had time to go into the circumstances, he could prove that there were real outbreaks on the part of the Natives, not provoked by any action of the Colonists, and when these outbreaks had occurred the Colonists had found themselves without any organized force to deal with them. Volunteers were called for, temporary levies were raised; and he would venture to say, if any of these stories could be traced out, it would be found that they were true only of persons who had not been accustomed to discipline and had not been placed under proper regulation for the conduct of war. It seemed to him that the proper remedy for this was not that suggested by the hon. Member for Gateshead (Mr. W. H. James)—merely to tell the Cape Colonists that you would never send any more troops to South Africa, without taking any other action at the same time. He feared that that had been said by his Predecessors on more than one occasion. We ought to endeavour, if we could, to take such steps as would induce and enable the Colonists to make a permanent provision of organized force for their own defence. That was the way in which we might lighten the responsibilities which hitherto had pressed so heavily upon this country. That was the way by which we might secure the successful and humane conduct of future Native wars, should any unhappily arise. We must impress upon the Colonists that it rests with them to provide for the management of Native affairs, and to protect themselves against the consequences of mismanagement. In that way, we should give them the strongest possible inducement for the proper management of these Native questions. We must induce and enable the Colonists to provide a permanent force, properly disciplined, for their own protection—a force with which they could deal with any emergency that might arise, and deal with it humanely, and at the same time so promptly as to prevent the outbreak from spreading so as to endanger the Colony. The hon. Member for Birmingham had very rightly attributed to Her Majesty's Government a desire to press forward the Confederation of the South African Colonies. He (Sir Michael Hicks-Beach) believed that such a policy would be the right solution of this great question. He believed that such a policy might be made to effect the results he had indicated; it would enable the Colonists themselves to deal with Native affairs, subject, of course, to that general control by the Imperial Parliament which was reserved by the provisions of the South African Act passed by this House two years ago; and it would give so much local self-government to those who were anxious for it as would enable them to obtain that real independence which they professed to desire. It would enable them to base their general policy with regard to Native questions on a uniform and coherent system; to encourage the civilization of the Natives not by forced labour for others, but by leading them from a pastoral and barbarous life to the cultivation of their own property as freeholders; and by the very means discouraging the barbarous customs inseparable from their former mode of life, which, in some cases, had been tolerated too long. In that way, the Natives would be trained by degrees to the restrictions, as they would at first appear to be, of our civilization. Such a policy, by bringing the Native population within the Colonies under what would be, to barbarous tribes, the irksome control of civilized law, would do not a little to discourage that great migration Southwards of the Native Tribes — one of the causes which had led to these constant and repeated wars. That was the policy Her Majesty's Government would wish to pursue, and which they had already impressed upon those who were intrusted with the administration of affairs in South Africa; and he thought he might venture to hope after the discussion of that day, and the desire shown by hon. Members of opposite political opinions to assist the Government as far as they could in the solution of this great problem, that it would command the support of the country.

Mr. W. E. FORSTER said, it was not easy to over-estimate either the ability of the speech of the hon. Member for Birmingham (Mr. Chamberlain) or the obligation the House was under to him for having brought forward and initiated a debate which he trusted would be of real use. With regard to the speech of the right hon. Baronet the Secretary of State for the Colonies, he (Mr. W. E. Forster) very much agreed with the tone of it and the intentions which it discussed. It was only by such a policy as he had indicated, based on the principles of justice and humanity, that they could hope for any amelioration of the present state of things. Although that was the case, it was with great pain that he heard his hon. Friend's (Mr. Chamberlain's) remarks on the present condition of our South African Colony. Many years ago, it had fallen to his (Mr. W. E. Forster's) lot to study the state of the Cape Colony carefully, in order to become convinced of the extent to which the spirit of slavery and the spirit of oppression prevailed against the Coloured race by the White population. He had hoped for a great change for the better; but from much which his hon. Friend the Member for Birmingham had stated, it would appear that he was too sanguine in that hope. Nevertheless, he could not but trust that, in spite of what they had heard, there were facts also on the other side. There was one hope for the future of the Cape Colony, especially in relation to the Coloured race, which contrasted most favourably with the condition of that race 20 or 30 years ago, and that was that there was now, as the right hon. Gentleman (Sir Michael Hicks-Beach) said, a strong Opposition Party. It was a fact that such a Party now existed, comprised of men of great influence in the Colony, and not only men of philanthropy and benevolence, but also men of position and property who advocated a policy of justice and humanity towards the Black man as essential to the prosperity of the Colony. It was the existence of that Party more than anything else that made him more hopeful that the result of the Federation scheme would be accomplished. He was glad the right hon. Gentleman did not give up his hope of a Confederation. He agreed with him that it was only by a Confederation the Cape Colony could be made to feel its responsibility, and give men of justice and humanity in the Colony a chance of their views being carried out. Now they came to the question—What could be done for the future of the Colony? There had been a general feeling throughout the House of sympathy with the Government for having to deal with a very difficult question like this—one of the most difficult questions a Government could have to deal with. No one could rest contented with the present state of affairs, or bear with any kind of equanimity, or even forbearance, what had happened so often, and what would happen now in South Africa. Enormous sums of money and loss of life were being spent in wars which many in that House thought ought never to have been undertaken; while upon the policy which led to these wars, they had hitherto had but little control. How, then, were these things to be stopped? The hon. Member for Gateshead (Mr. W. H. James) came forward with a very strong and a very drastic remedy. He said—"Withdraw all your troops." He (Mr. W. E. Forster) did not think we could do that. On the contrary, he thought that meant dissolving our union with the Cape. The time might possibly come—he trusted it would not—when they might be compelled to do that; but they ought to do all they could to prevent it. It had been said that that policy had been successful in the case of New Zealand; but the case of New Zealand was far different from that of the Cape, where the Native element was stronger. It was quite time we could leave the Colonists of New Zealand to deal with the Natives; but if we were to leave, entirely and absolutely, the Colonists in South Africa to deal with the Natives, one of two things must happen—very likely both. Either we should hear terrible stories of the mode in which the war was being carried on —stories that would make us feel we could hardly bear further connection with the Colonists, who would probably wage war after the manner of the Native population—or we should hear also that the White men and women were in danger of being utterly destroyed by the Natives. The country would resist an act like that. The hon. Member for Gateshead would not get the English people to approve of that policy. They would say—"After all, these are our fellow-countrymen, of our own race and religion, and we cannot absolutely leave them to themselves." In these circumstances, we should be obliged to come to their rescue; but even if the possibility of the dissolution of the union were admitted, he did not think it could be admitted this country was, after all, irresponsible for the present state of things in South Africa. His conviction was that we ought to have given up our control over the Boers and their incursions northward. Still, they could not do that as matters now stood. He was delighted to hear that the Government intended to insist on the Cape taking its share of its own defence; and he agreed with the right hon. Gentleman that it was by the Colonists organizing themselves, and bearing their own part in the defence of the country, that we should be most likely able to prevent those acts of cruelty which they were so sorry to hear. They had now a responsible self-governing community to deal with at the Cape. Whether it was a mistake to give self-government to the Cape was a grave question. For his own part, he did not think it was a mistake; at all events, they could not now take that self-government away. The problem of the Government was a fresh departure. They must ask themselves—"What terms shall we make with the Governments of the South African communities generally for the future?" That was to say—on what terms should they consent, in any case in the future, to assist the South African Colonists with our own troops? He thought the time had come when the Government ought to say, with the greatest possible determination, that the terms must be different from what they had been. They must say—"They shall be definite terms. You shall not find the policy, and we find the money and men to carry it out. We must have our share in the policy. We shall have an alliance; but on such terms that we shall be able to hear our voice guiding you, asking you about your frontier policy and your treatment of the Natives, and as to the mode in which you conduct your war. We also claim the right to demand from you, for our own and for your sake, that you shall take a share in your own defence." He was not at all surprised at the Government seeing very great difficulty in sending out a Commission; but he thought it was a suggestion that ought not to be dismissed as an impossible alternative. A very strong Commission, sent out not for the purpose of inquiring into the past, but for the simple purpose of reporting to the Government their views as to the terms of our future relations with the Colony, would, he thought, be attended with great advantage. At the same time, he thought there was something in the remark of his hon. Friend the Member for Birmingham (Mr. Chamberlain), that a Governor was not the best mode of obtaining information. He did not wish to make any charge against individuals. Deeply as he (Mr. W. E. Forster) regretted the policy of Sir Bartle Frere, he did not wish to make a remark personally as regarded him. What he would say was, he thought they now saw that a Governor of a Colony—a Governor of even so strong a will as Sir Bartle Frere—was liable to be influenced by the Party in the Colony which held the reins of power; and he doubted if the Government would be able to make their terms, in the future, with the Colony through the High Commissioner, or through any Governor of Cape Colony. They might, however, be able to do so through Sir Garnet Wolseley. That was a responsibility which must be left with the Government. He was very hopeful when a man like Sir Bartle Frere went out that they were going to have a new era in the Cape Colony. He knew him personally, and knew also how anxious he was for a just and true consideration of the Natives. Well, the argument in favour of the annexation of the Transvaal was this—that the Boers were engaged in a policy which was unjust, and which brought them into quarrels with their neighbours, and that we could not let them take the consequences of that policy and be massacred, because there was reason to believe that before their destruction their policy would have brought on a general Native war. He did not blame Sir Bartle Frere; but what was done was, that the policy which the Boers were performing in the Transvaal was carried out by our Government, but with greater power and force, and therefore, in one respect, with more evil consequences. They now saw the result. He might make the same remark as to the Zulu War, as to which they would be obliged to admit that the Opposition Party in Cape Colony had almost as much ground to complain against the Representative of the British Government as against the Colonists themselves. However, he (Mr. W. E. Forster) believed there was really one feeling in the House of Commons and the country on the question, which was, that our relations with the Cape Colony must be put on a different footing; that we would not join in unjust wars; and that we would not be responsible for the ill-treatment of the Natives. It should also be made known that we did not think it right that the Colonists should not take their full share in their own defence, and, at the same time, that, if they were willing to agree with us as to equitable terms, and showed that they meant to conduct their policy upon principles of justice and humanity, we should not refuse to give them the assistance that they absolutely required.

Mr. A. MILLS said, that the principle had been referred to that all Colonies should be protected to this extent by the Imperial Government—that that Government should be responsible for wars which were undertaken to carry out Imperial policy. It would, however, be difficult to apply that principle in all cases. That was not the case as to New Zealand. Our troops were withdrawn, and Maori wars ceased. The case of South Africa was, however, exceptional. There were something like 2,000,000 Natives in British South Africa, while the White population did not number more than one-seventh of that amount. Again, a very large proportion of the White population was of Dutch origin. Within the three-quarters of a century during which we had possession of the Cape Colony they had been engaged in six Cape wars, almost all of which were occasioned by the circumstance that the Dutch population had trecked from the old Colony and settled beyond its borders. The Transvaal was so settled; so, to a large extent, was Natal. The troubles to which he referred arose, to a great extent, from the quarrels of the Boers with the Native population, and England found herself engaged in wars occasioned by those who had trecked away from her rule. They had not been able to apply the principle to which he first referred to South Africa, for this reason — that we had been meddling and making in those wars from time to time, and the Colonists, therefore, fathered upon England the cost incurred. What he should like to see was encouragement given to the formation of Colonial levies. Such a policy would tend more to the creation of a spirit of self-defence than any other course which could be adopted. The hon. Member for Birmingham (Mr. Chamberlain), in his Motion, had suggested the appointment of a Royal Commission. He (Mr. A. Mills), however, hoped the suggestion would not be adopted; for he thought it would be a very great misfortune if another set of Commissioners were to be sent to South Africa to advise, and, perhaps, to contradict, Sir Bartle Frere and Sir Garnet Wolseley. He, therefore, hoped that course would not be followed; but that the principle suggested by the Committee of 1861 would be adopted, in accordance with which the Colonists should be told that they must fight their own battles and pay their own bills.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) £1,030,000, Naval Stores for Building and Repairing the Fleet, &c., *agreed to.*

(2.) £842,000, Machinery and Ships built by Contract, &c., *agreed to.*

(3.) £566,749, New Works, Buildings, Yard Machinery, and Repairs, *agreed to.*

(4.) £75,710, Medicines and Medical Stores, &c., *agreed to.*

(5.) £7,985, Martial Law, &c., *agreed to.*

Resolutions to be reported.

Motion made, and Question proposed,

"That a sum, not exceeding £140,530, be granted to Her Majesty, to defray the Expense of various Miscellaneous Services, which will come in course of payment during the year ending on the 31st day of March 1880."

Mr. A. MOORE said, he had on a previous Vote drawn the attention of the right hon. Gentleman the First Lord of the Admiralty to the necessity of making provision for the appointment of Roman Catholic chaplains in connection with the Naval Service. He had been informed that the question would be more properly raised on the present Vote, and, therefore, he took that opportunity of asking the right hon. Gentleman what course he intended to take with regard to the subject? He did not ask for the appointment of Roman Catholic chaplains to each of the large iron-clads, but that Roman Catholic seamen might be supplied with chaplains at the chief naval centres at home and abroad, and at those parts which were not exactly naval centres, but at which, from time to time, a large number of ships called having on board Roman Catholics. As an instance of these, he would mention Lisbon as having, for many months standing off the port, a large squadron of ships. He would also draw the attention of the right hon. Gentleman to the sick on board the invalid vessels, as he felt very strongly that something might be done to meet the grievance of those persons, who might never see their native land again, and who were anxious that they might have the ministrations of religion on their way home. He believed that chaplains were appointed at Portsmouth, Sheerness, and Plymouth; but, even in those cases, they were without the proper facilities for the discharge of their office. He believed that the commanding officers of ships liked to see the chaplain come on board, using his influence upon the men, simply because it reduced punishment, and tended to good order. But the chaplains in those cases had no *locus standi;* and, consequently, not so much real influence over the men as they would otherwise have. The Coastguards on the West Coast of Ireland, in cases where sometimes there was only one man with his wife and children, had the ministrations of the local Protestant clergyman, who received a certain sum per annum. Ample provision was made for them, and he thought that the Catholics had a right to the same advantages in respect to their religion. Again, it was only fair to appoint one Catholic teacher in training ships where there were a number of Catholic boys. The chaplains ought, in his opinion, to be commissioned officers. He had, he thought, placed these claims on a moderate and friendly footing, in the belief that the time had come for remedying the grievances which he had indicated. He begged to move the reduction of the Vote by the sum of £1,000.

Motion made, and Question proposed,

"That a sum, not exceeding £139,530, be granted to Her Majesty, to defray the Expense of various Miscellaneous Services, which will come in course of payment during the year ending on the 31st day of March 1880."—(*Mr. Arthur Moore.*)

Mr. W. H. SMITH said, it was the wish of the Admiralty that every facility should be given to clergymen of all denominations in the discharge of their duties. There were Roman Catholic chaplains receiving salaries at Sheerness, Devonport, Haslar, Plymouth Hospital, and Portsmouth. There were also chaplains at nine other places abroad to whom capitation allowances were paid, and at every place where a Fleet might happen to be Roman Catholic sailors and Marines had the services of ministers of their religion, to whom allowances were paid. He assured the hon. Member for Clonmel (Mr. A. Moore) that the most anxious care was taken to see that the seamen and Marines had the ministrations of clergymen of the religion to which they belonged. It would not be possible to place Roman Catholic chaplains on board the troopships returning from India.

Mr. M'LAREN rose, not to express any opinion upon the subject under notice, but to suggest that it was of far too great importance to be taken up at that period of the Session. Toss the matter about how you would, it came to this—It was a proposal for a new religious endowment; for chaplains to be established at a number of ports on the Continent visited by the ships of the Navy. He objected to any extended application of the principle of endowment, and thought that all sects of Christians might well spend their benevolence to provide for such casual visitors. If such a thing were to be seriously proposed, it ought to be done by a Vote subsequently brought forward, at a time when everyone had an opportunity of fully considering the principle which it involved.

MR. PARNELL was sorry to interrupt the Vote, in order, on a Motion to report Progress, to refer to a matter of importance. He did so, not with any intention of impeding the Vote, but because it was important to have an understanding with the right hon. Gentleman the First Lord of the Admiralty as to whether he was going to introduce the same modifications in the naval law as had been made in the military law?

THE CHAIRMAN said, the hon. Member for Meath (Mr. Parnell) would not be justified in entering into the question of martial law. The proper time for that would be on the Report of the Vote.

MR. PARNELL proposed to refer to the administration of the Navy as regarded punishment and discipline, and wished to secure that the discipline in the Navy should be the same as in the Army, and that those modifications introduced into the Army Discipline and Regulation Bill for the alleviation of punishment should also be introduced into the discipline of the Navy. He did not know whether this could be done by Parliament or by directions or orders issued by the First Lord of the Admiralty.

It being now ten minutes to Seven of the clock, the Debate stood adjourned till the Evening Sitting.

House *resumed.*

Resolutions to be reported *To-morrow;* Committee also report Progress; to sit again *this day.*

The House suspended its Sitting at Seven of the clock.

The House resumed its Sitting at Nine of the clock.

ORDERS OF THE DAY.

SUPPLY—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MALTA (COST OF POLICE, &c.)

RESOLUTION.

MR. PLIMSOLL, in rising to call the attention of the House to the condition of Malta; and to move—

> "That, in the opinion of this House, the cost of maintaining the Police, and of draining, repairing, lighting, cleaning, and watering the streets, &c. in Malta, should be paid out of a rate upon house and other property (upon which, at present, no rates or taxes of any kind whatever are levied), and not, inter alia, out of a tax upon wheat and other grain for food, and upon potatoes and other vegetables, which, as a matter of fact, actually takes more per head from the very poor who live in cellars than it takes per head from those who live in the best houses in the streets and squares; and the House is therefore further of opinion that it is the duty of Her Majesty's Government to take such steps as may be necessary to secure the abolition of the taxes on food in Malta on and from the 1st day of January 1881;"

said, that the Resolution embodied his whole case, and was in strict accordance with the facts, the statements it contained being rather under than over the real facts. They referred to a case of injustice and hardship, which was so gross in its circumstances, so cruel in its incidence, and yet so easily capable of remedy, that he had great hope it would not survive its exposure to the House. The Maltese people, although oppressively, were very lightly taxed. The whole of their external defence was paid for by a contribution of £5,000 to the Imperial Exchequer, or about 8*d.* per head of the population; whereas we paid £1 per head for the maintenance of our Army and Navy. The total taxation per head of the population for all purposes was only 13*s.* 7*d.*, as against at least four times that sum in this country. And yet, from the mode in which the taxes were levied, they were paid with far less ease than the heavier taxes in this country; and as to three-fourths of the people, they were crushing in their effects. No rates or taxes of any kind were levied directly, except about £3,000 raised by licences to wine and spirit dealers. Much the larger portion of the taxation of the country — £62,827 — was derived from the taxes upon wheat and solid food; £41,624 from beer, wines, and spirits; £1,773 from oil and vinegar; for the rest, the income consisted of rents and harbour dues. An examination of the tariff showed that the term "solid food" was very wide, and included wheat, barley, and corn of all kinds, besides lentils, peas, and beans; and, lest the poor should take to vegetables in their inability to afford even the inferior kinds of corn, there was also a tax on potatoes and other vegetables. No more astonishing way of raising an income had ever been discovered, though the case of Malta was somewhat analogous to that of the Ionian Islands, where advantage having been taken of our English ignorance of the language, it had now and then happened that extreme severity had marked the proceedings of the authorities. In a Parliamentary Paper of the year 1878, Mr. Rowsell had said that the Maltese upper and middle classes paid 10*s*. 10*d*. per head per annum in taxes, while the working classes contributed as much as 15*s*. 7*d*. The incidence of the wheat tax was such, that the richer classes paid 5*s*. and the poorer 10*s*. per head per annum. The beggars paid more per head than those who rode in carriages. People who swept the streets, and went without shoes and stockings, paid more per head for the making of those streets and the sweeping and cleaning than the noblemen and gentlemen who swept past them in their carriages. An Englishman might imagine, judging from the absolute amount of taxation per head, that it was so trifling that it could not possibly have the crushing effect complained of by the Natives; but it was to be remembered that wages were very low in Malta, the daily average being, perhaps, not much more than 1*s*. Mr. Rowsell's schedule of wages showed that to be the case; and the American Consul, who had long personal experience of the Island, had mentioned that the great number of the poor was the effect of the high price of bread. Consequently, the amount of mendicity in Malta was something appalling. The poor seldom had more than the bare means of relieving their hunger, and they had the additional misery of living in dwellings that were utterly unfit for habitation. He could speak on that point from his own personal observation, as, in his curiosity to know how men could possibly live on the current small wages, he had visited the houses of the poorer classes. The whole city was built upon white freestone, making what miners called "good roof," and advantage had been taken of the material to sink deep cellars under the houses, so that one might see palatial piles of buildings with cavernous cellars, tier upon tier underneath, the lowest of which might be fully 40 feet below the level of the street. These places were damp, unventilated, foul — dreadfully foul—and the stench appalling. He spoke only of what he had seen, and he believed that at least a quarter of the city was underground. It would easily be supposed that such damp, ill-ventilated, and foul lodgings had their effect on the death-rate. That it had a deleterious effect was proved by the fact that the Governor had appointed a Commission of six medical men to inquire into the subject, the death-rate being 45 per 1,000, although Malta, *per se*, was naturally a healthy place. Dr. Giulio, in his Report, had said that those who had seen only the best parts of Malta could form no adequate notion of the bad hygienic state of the other parts. In particular, the drainage was exceedingly defective, and so highly charged was the atmosphere of many of the houses, that the inmates ran the risk of being poisoned by hydro-sulphide of ammonia. If any other evidence was needed as to the deplorable condition to which the poorer Maltese had been reduced by excessive taxation, it would be found in a Petition that had been presented to the House, and which recited "the heart-rending misery which prevails already among the poor." Now, he wished to know why that misery had been inflicted, incurred as it was for the purpose of paving and lighting the streets, draining the town, and doing many other things, simply, as he believed, for the benefit of the upper classes? In very many cases the proceeds of the taxation seemed to be misapplied—as, for instance, in the maintenance of a University, where the sons of the rich received a semi-gratuitous education, paying only in fees, at the rate of 2*s*. 6*d*. monthly per family, the sum of £248 a-year, whilst £4,397 came from the people's food; and the building, at a very considerable cost, of an opera-house. He might mention that the opera-house had been built on land belonging to the community, and that £48,000 had been spent on its erection. On a careful examination of the expenditure upon the Island, he found that a sum of £71,000 was spent which in

England, or elsewhere, would be paid out of local taxation. Why, he desired to know, should there be no rates or taxes in Malta? There were no better cared-for or more copiously watered streets than those in Valetta—equal in all respects to the best looked after streets in the West End of London or the fashionable districts of Brighton; and all this was done without any householders' tax; but it should be clearly understood, out of the taxes on solid food. He should like to know why the people who lived in good houses in the town should not pay for that which cost money, and which they enjoyed? In no other place in the world with which he was acquainted were these things, as well as gas, police, sewage, obtained without the payment of a single sixpence by those whom they chiefly benefited—the householders; and he might add that it seemed also that these existing evils were only coincident with our occupation of the Island; for previously to that the owners of property had to pay their share of the general taxation. Now, a rate of 2*s*. 6*d*. on the house property would, according to Mr. Rowsell, give £40,000 a-year, and if the rate were made general it would realize £70,000 a-year, which would enable the Government of the Island to abolish the taxes on food and the harbour dues, so as to make Valetta a free port. Mr. Rowsell said that the upper classes in Malta had an "hysterical objection to pay money;" but if they had money's worth, why should they have it paid for out of the most miserable class of the population? It was no doubt said that if the taxation were altered it would affect the selling value of property; but even if this were so, it only showed that the owners of property had hitherto derived more than they ought to do from it, because they were allowed by our neglect to rob the poor. If the value of property were diminished by a rate, Malta by being better governed would enjoy greater prosperity than it had ever enjoyed. It was said that nine-tenths of the people were perfectly content with things as they were; but it was impossible to suppose that people would be content to be robbed in this way. It was said that no public meetings had been held to complain of bad administration; but the people were threatened, and warned not to hold public meetings. It appeared to him that the upper classes were robbers of helpless infancy and stealers from street beggars. Malta had two cardinal wants—the first was indicated in the terms of his Motion, and the second was that of a Governor whose sole business should be the good government of the population of the Island. If Malta were made an absolutely free port, the number of ships that would call there would be very considerably increased, and there would be an increase of work for the population of the Island. Malta, alone of all the Colonies that he knew, owed absolutely nothing. It had £80,000 in the Funds, and the estates of the Knights of Malta, which successive English Governors had recognized as State property, were worth not less than £1,300,000. If there were a Governor who would put the saddle on the right horse, he might, by seeing that the population of the Island was fairly and justly dealt with and that the latent industries of the country were developed, initiate a period of prosperity the like of which had never been known before in the Island. He (Mr. Plimsoll) thought he had proved the existence of a grievous wrong and a terrible injustice, that the remedy was easy, and that the objections were selfish and frivolous. But with energy and determination they could easily be overcome. The injustice was so terrible that he hoped the House would lift the burden off the shoulders of those unfortunate people. The hon. Gentleman concluded by moving the Resolution which stood in his name.

MR. ISAAC, in seconding the Resolution, said, he would not offer any apology rising to support the hon. Member for Derby, nor would he follow him through all his remarks. He (Mr. Plimsoll) had, no doubt, been carried away by his excessive kind-heartedness and sympathetic feelings; and although he (Mr. Isaac) could not go to the same extent, he considered the Resolution was one which not only deserved, but demanded the consideration of Parliament. His hon. Friend the Member for Derby (Mr. Plimsoll) had referred, in the course of his speech, in terms of condemnation to the action of a gentleman with whom he (Mr. Isaac) had been acquainted for many years, General Straubenzee. He would tell his hon. Friend that a better man did not exist in the British Army than the gentleman whom he had charged, he had almost said, with crime. He would ask his hon. Friend whether the fault did not rest with the laws the Governor had to put into force, rather than with any action of the man himself? The points which ought to be considered were the appointment of a civil, in addition to a military Governor, the re-adjustment of taxation, the sanitary condition of the whole Island, and the education of its people. The re-adjustment of taxation was imperative, because the present system pressed unequally on the people. The poor and working classes were heavily taxed—the idle, the rich, and the noble paid, comparatively, no taxes—the duties levied upon grain, food, and alcoholic liquors were, indeed, a serious hardship upon those who were compelled to pay them. With regard to the first point, it might be said that no change could be made which would be satisfactory to the people. We had heard that said of other places greater and smaller than Malta; but had always found, when the changes had been made, that they proved to be beneficial, not only to those who had at one time been oppressed, but equally so to those who had been considered oppressors. Considerable changes had been made in the government of the Island, both before it was ceded to this country and since the cession. In 1800, when the Island was taken by this country, we had to inaugurate some system of government. After 1814 we made great changes. In 1816 a change was made; in 1834 another change; in 1838 another; and in 1849 the Constitution of the Island was entirely altered. Not taking his information from what had been said in the House by the hon. Member for Derby, or from the letters he had written, but from persons who had been employed in the government of the Island, or had resided there for many years, he believed that though his hon. Friend had put his case very strongly, he had not exceeded the bounds of reasonable complaint as to the way in which Malta had been governed, and the unfortunate poor of the Island had been treated. During the last half-century we had made great strides in carrying Free Trade principles into operation in this country; we had removed from the edibles used by the poor all taxation; and he saw no reason why, according to justice and common sense, we should not do the same for the poor of the Island of Malta. As to the necessity for the re-adjustment of taxation, it could be proved that the lower classes in Malta were much more heavily taxed than the nobles and other classes. The principal kinds of food which the people had to subsist upon were bread, macaroni, with occasionally a few olives, a fish sandwich, and a little garlic. He had been told by a gentleman who had lived four years in the place that in the old capital of the Island, with over 3,000 inhabitants, they killed butcher's meat only one day in the week, and the demand for it was so small that they had to send the greater part to Valetta to be disposed of. The people were, therefore, obliged to use grain and those things which were taxed by the laws of the Island. That was a system of taxation which ought not to exist in any Dependency or Colony of the Crown. The question had also been mooted with regard to a land tax. What country in the Empire did not pay a land-tax, or a house tax, and a large number of other taxes? Why should Malta be the only place in Her Majesty's dominions which did not pay the land tax? He thought there would be no difficulty in raising a fair and reasonable rate of taxation for Imperial purposes from all the property in the Island, and that these changes, if carried, would be for the benefit of all parties, and were not without precedent. He believed that if Her Majesty's Ministers were to take this matter into consideration, so that some great reform was made, they would do that which would redound to their credit as much as anything they had done in the course of their Administration. In the first place, then, he would abolish the tax upon food, and supply the deficiency by a tax upon the property of the Church, and all other property, which at present enjoyed an immunity from taxation. He would, too, have the sanitary condition of the dwellings of the poor better ventilated and drained. The necessity for this was more than proved by the statement made by his hon. Friend (Mr. Plimsoll), from the experience he had gained on the spot; but if those statements needed additional arguments to impress them on the House, he (Mr. Isaac) could state, from the best possible authority, that during the general drainage repairs in Valetta the stench from the open roads was fearful—the soil, super-saturated with sewage and gas leakage, caused an epidemic of the measle type amongst adults, as well as children, along the whole route of the excavations; and caused the loss of many lives. Another instance of the serious effects of want of proper sanitary reforms was in 1865-6, when upwards of 200 deaths occurred amongst the inhabitants of ground Mezzanine and underground floors before any case occurred to the occupants of the proper houses. Lord Clarence Paget, when at the opening of the new Hydraulic Dock, in January, 1873, said, that according to the last Census, the population of Malta was 124,000, being about 1,200 to the square mile, and, therefore, denser than any other part of the globe; and, that what was still more striking and appalling was its rapid increase, being something like 1,000 in every year. He suggested the Maltese should colonize the shores of the Mediterranean, and particularly pointed out Cyrenica, formerly one of the principal granaries of ancient Rome. That surely and clearly proved that emigration was the only way of providing for the population; and if they had to emigrate, it must be to a place where they could speak the language of the people. He thought, then, that they might establish elementary schools in the Island, in which the people might be taught English; it was highly desirable that they should learn to speak some other language than the mixture of Italian and Arabic which was their vernacular. He should rejoice if the glory and honour of improving the condition of the Island of Malta belonged to a Conservative Government. If, instead of holding Malta for the Maltese, they regarded it as an English Colony, the effect would be to make the nobles feel they were Englishmen, and thus would be infused into the society of the Island a more truly English feeling, and a belief that it had been left, amongst other important duties, to a Conservative Government to reform the laws and the government of the important Island of Malta, that had been so long neglected by the masterly inactivity of their Liberal predecessors.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the cost of maintaining the Police, and of draining, repairing, lighting, cleaning, and watering the streets, &c. in Malta, should be paid out of a rate upon house and other property (upon which, at present, no rates or taxes of any kind whatever are levied), and not, inter alia, out of a tax upon wheat and other grain for food, and upon potatoes and other vegetables, which, as a matter of fact, actually takes more per head from the very poor who live in cellars than it takes per head from those who live in the best houses in the streets and squares; and the House is therefore further of opinion that it is the duty of Her Majesty's Government to take such steps as may be necessary to secure the abolition of the taxes on food in Malta on and from the 1st day of January 1881,—(*Mr. Plimsoll,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. MAC IVER, who had the following Notice upon the Paper:—

"To call the attention of the House to the condition of Malta; and to move, That, with respect to local administration, no outlay of public money should take place, no taxes should be imposed, nor any law be passed, except with the consent of a majority of the elected Members of the Council of Government;"

said, he should not have thought that the hon. Member for Derby (Mr. Plimsoll) ever had been in Malta, had he not seen the hon. Gentleman there. It certainly did not appear, either from his speech or from the speech of his hon. Friend behind him (Mr. Isaac), that they knew anything about the Island. Let him (Mr. Mac Iver) remind the House how Malta became a part of the Empire. In 1798 the Maltese bravely withstood the French and maintained their independence, and afterwards they willingly placed themselves under British rule. Therefore, they owed something to the Maltese. The Maltese were a deeply religious Roman Catholic people, and he (Mr. Mac Iver) had a letter from their Archbishop, who was certainly not in favour of the views of the Mover and Seconder of this Resolution. For himself, having spent years of his life in Malta, and still maintaining his associations with the place, he now spoke on behalf of the Maltese; and he was supported by a Memorial from the elected Members of the Council in the views he ventured to urge. There was not the smallest pretence for saying that the elected Members of the Council did not represent the feelings of 999 out of every 1,000 of the inhabitants. Acknowledging the perfect sincerity of the hon.

Member for Derby, he yet thought that hon. Gentleman was apt at times to take an exaggerated and distorted view of facts. The undisputed facts in this matter were, that the entire revenue of Malta derived from any kind of taxation was about £100,000, and that of this amount some £50,000 was raised by those taxes to which the hon. Member for Derby was opposed. The hon. Gentleman evidently thought that the whole of the deficiency in regard to that £50,000 might reasonably be recouped from a charge of some kind or other on house property. Now, the population was about 150,000, and the number of houses perhaps something like 30,000. Nine out of ten of the houses in which the people lived were rented at £2 or £3 a-year; and if they put a tax of 20*s*. or 30*s*. on each of those houses, that would be very like adding 40 or 50 per cent to the house rent which the people had hitherto paid. That was, practically, what the hon. Member's proposal came to. There were in Malta no rich persons, or not more than about half-a-dozen, and the great bulk of the revenue required to meet local needs must be obtained from the great mass of the population. The real question, therefore, was, how could that be done with the least inconvenience and distress to the Maltese people? Surely, the wishes of the people themselves ought to have some weight, and they were averse from any material change of their system of taxation. Although a few agitators had done their best to stir up discontent, the inhabitants of the Island were not dissatisfied; they were a law-abiding, well-conducted community, who desired ever to remain a portion of the British Empire; but they did feel that sometimes the House of Commons forgot the circumstances in which the Island became a part of our Empire and did not sufficiently regard the wishes of the Maltese people. Malta enjoyed the reality of an unrestricted commerce with all parts of the Mediterranean, and was, practically, almost a free port, Customs duties being levied on only one or two articles. The general prosperity of Malta depended upon its continuing to be the cheapest port of that part of the Mediterranean; but the Free Traders had proposed changes in the finances of the Island which threatened to destroy its trade altogether, and that had been the occasion of the riots which had occurred there. The hon. Member for Derby (Mr. Plimsoll) complained that the taxation of the Island was in favour of the rich, as against the poor; but this statement was based upon imaginary data. Much stress had been laid upon the fact that extensive drainage works had been undertaken by the Government in Malta; but the truth was, that those drainage works had been executed, not for the advantage of the Maltese, but of the British Fleet and of the troops who were quartered there. The demand of the Maltese people was that, with respect to local administration, no expenditure should be incurred, that no taxes should be imposed, and that no law should be passed, except with the consent of a majority of the elected Members of the Council of Government; and, in his opinion, that was a most reasonable proposal. Malta and Cyprus were both on the high road to India—the former was over-populated, the latter was thinly-populated — and, therefore, the best thing we could do was to induce the surplus population of Malta to emigrate to Cyprus.

Sir GEORGE BOWYER rose to second the Amendment.

Mr. SPEAKER pointed out that it had already been seconded.

Mr. ANDERSON said, he had expected, after listening to the first portion of the speech of the hon. Member for Birkenhead (Mr. Mac Iver), that it would be shown that his (Mr. Anderson's) hon. Friend the Member for Derby (Mr. Plimsoll) had no case, for he set out by promising to demolish it entirely; but after hearing the remainder of the speech, and particularly the remarkable conclusion at which the hon. Member for Birkenhead had arrived, he thought that the arguments of the hon. Member for Derby were unassailable. What was it that the hon. Member for Birkenhead proposed to do for the people of Malta? Why, his proposal would be to send them from the frying-pan into the fire. The only thing he had to offer for their good was to deport them to Cyprus. Malta, he (Mr. Anderson) believed, was hot; but no one would venture to compare it to Cyprus. The hon. Member wished to induce the people of Malta to consent to be deported from an uncomfortable Island into a still more disagreeable place. He did not suppose the hon.

Member's Maltese friends would be very grateful to him for that proposal. The hon. Gentleman (Mr. Mac Iver) compared the proposal to impose a house tax on Malta to the Chancellor of the Exchequer adding 30 per cent to our own house tax; but the analogy was quite in another way, the present system at Malta was just as if the right hon. Gentleman had undertaken the paving and cleansing and lighting of the Metropolis, all of which were to be paid for out of the general taxation of the country. In Malta the Customs dues were used for those purposes; and, not only that, but in Valetta a University was kept up and an opera-house had also been erected, at great cost, by the same means, and it was not right that the lower classes of the Islands generally should have to provide for the maintenance of the buildings there. Malta, in fact, was made pleasant and gay, at the expense of the people, for the officials sent from England. It was complained that the poor people of Malta were taxed on food for the sake of keeping the upper classes free from taxation, and making the place in every way pleasant to them. In all the taxes which affected the poor people, they were made to pay much more heavily than the upper classes. The hon. Member for Birkenhead had questioned the figures of Mr. Rowsell, who said that, while the working class were taxed at the rate of 15*s*. 7*d*. per head, the officials and wealthier classes who had £500 or £1,000 a-year or more paid only 10*s*. 10*d*.; and he had asserted there were no figures in the Report to sustain that argument. But Mr. Rowsell had figures, and these showed that there were 27,000 of the official and wealthier classes in Malta, and 112,000 poor persons whose average wages were 1*s*. a-day. He showed how the amount was made up, and his figures were incontestable. [Mr. MAC IVER denied there was any calculation of the kind.] He would refer the hon. Gentleman to page 15, where the calculation was clearly set out. Mr. Rowsell showed that in the matter of bread duty alone the rich class contributed 5*s*. and the poor class 10*s*. per head. The hon. Member for Birkenhead also went on to show that a tax on house property would prove inoperative, and that it would not be possible to raise the required amount in that way. But Mr. Rowsell proved to the contrary. He proved that 6*d*. in the pound of rental would yield £8,000 a-year; but in this country 2*s*. 6*d*. was a low rate for local purposes, and that rate in Malta would yield £40,000 a-year. He (Mr. Anderson) felt that the House would accept the statements of Mr. Rowsell in preference to the opinions of the hon. Member for Birkenhead; for they showed, to the satisfaction of most hon. Members of that House, that Malta, after being for nearly a century in our possession, was about the worst-governed spot in Her Majesty's Dominions. We governed the Island not for the good of the people there, but entirely with a view to the fortress. He suggested that a civil Governor, to be paid by Malta, should be appointed, as well as the military Governor, whose salary, reduced from £5,000 to £3,000 a-year, ought to be paid by us. For the last 25 years the Government of Malta had been a dictatorship, for the military Governors had been very much under the influence of the permanent officials, and Sir Adrian Dingli was the real Dictator at Malta. Some of the Governors we sent out were very weak, and entirely in his hands. The late Governor, Sir C. Straubenzee, had been of this class, an amiable well meaning man, but as weak as water, as was proved by his conduct in the riots of last year, when he had been censured by the Colonial Secretary for allowing the mob to enter the corridors of the Palace. There was another difficulty in connection with Malta, and that was the state of the franchise. The hon. Member for Birkenhead had a Resolution on the Paper, recommending that there should be no outlay of public money, except with the consent of the majority of the elected Members of the Council—a rule that had been enforced for some time by Lord Cardwell, but had been abandoned of late years, with the result that the votes of the eight elected Members were usually swamped by those of the nine official Councillors. So flagrant was this system that in one case the casting vote of an official had made an addition to his own salary. That swamping of the elected Members' votes, however, would be a greater grievance, if the elected Members represented a larger constituency than the 2,000 persons who composed the electorate. At first sight the franchise seemed liberal enough, being based on the principle of a £4 occupancy; but it was too severely restricted by the absurd stipulation that no one should vote who did not understand English or Italian, both of which were foreign languages in Malta. In this country we sanctioned even the illiterate voter; but on the Maltese system we would not only abolish him, but require every voter to understand Welsh or Gaelic. That was a point on which reforms were urgently needed and might be very usefully introduced in Malta; as if that restriction were removed, the constituencies would be largely increased, and the Members of the Council would be more truly representative. The widening of the franchise, and the appointment of a civil Governor to attend to the civil business of the Island, were the two subjects with respect to which the Secretary of State for the Colonies would, he hoped, take immediate action. In conclusion, he would say that the lower classes, he thought, had been compelled to pay taxes which should have been put on the wealthier classes through property taxation; and he urged, in the strongest manner, that the Resolution should be adopted, and the taxes on food in Malta should cease from the 1st of January, 1881.

Sir GEORGE BOWYER said, that the speech of the hon. Member for Birkenhead (Mr. Mac Iver) had been so comprehensive and had gone into so much useful detail that his own observations need not be long. He fully admitted the good intentions and benevolent objects of the hon. Member for Derby (Mr. Plimsoll), a well-known instance of which, in the case of our merchant seamen, would be familiar to the House. It had struck him, however, that the part played by the hon. Member in the present case was a little Quixotic. The circumstances of the hon. Member's Motion reminded him of the celebrated reply given by the Needy Knifegrinder in *The Anti-Jacobin*—

> "Story, God bless you! I have none to tell, Sir,"

for, in fact, though they had heard how the Maltese were starved and ill-treated, that unhappy people had not told their own story or pleaded their own wrongs. Had the hon. Member come to the House with any Petition from them, and could he mention any public meeting that had been held in support of his views? He (Sir George Bowyer) had in his hand a pamphlet written by the hon. Member, and would ask the attention of the House to two extracts from it, which would show the exaggeration and absence of exact thought and argument that had characterized his statement. In one of those passages, he had attributed the insanitary condition of the place to the import duties on corn; in the other, he had hotly attacked the Government of the Island, of course, including in his denunciations the Secretary of State. In that second passage he had written that he had seen in London portraits of the great brigands of Palermo, and among them those of Leoni and his gang, with whom, he said, he had rather stand at the Judgment Day than with the men who had inflicted on Malta the terrible evils of which he complained. He (Sir George Bowyer) did not mean to assert that the condition of things was perfect in Malta; but he did say that, if modifications in the taxation were to be made, they ought to spring from the wishes of the people themselves, and not to be imposed on the people by the Free-traders of this country. The Maltese said they were used to the fiscal system they possessed, and that any substitutes that might be proposed for the existing taxes would be far more grievous than those in force at present. They thought their system was not one to be complained of, and they asked to be let alone. This was a very reasonable view for them to take, and he hoped the House would be disposed to accept it. Without Protection, the cultivation of cereals, which, from a military point of view, was of great importance, would probably cease altogether in the Island. He had had Maltese affairs passing through his hands for a number of years; and he believed the Government would do wisely in refusing to adopt any large scheme of alteration in the financial system of the Island, and confining themselves to the consideration of political details. He strongly deprecated the slighting manner in which the hon. Member for Derby and others had referred to the Maltese nobility. They were an ancient and honourable class, possessed of education and high attainments, and holding a distinguished position in the Island. The hon. Member for Birkenhead had pointed out what was the real defect in the mode of government in Malta—namely, the constitution of the Legislative Council. Hon. Gentlemen who wished to benefit the inhabitants would be taking a much more useful course if they applied themselves to the remedy of this political grievance. The opinions of the Representatives of the people ought to have the greatest possible weight; but their voice was stifled. The people of Malta were loyal—in fact, there were no more loyal subjects of the British Crown and they deserved great consideration. He maintained that Gibraltar, Malta, and Cyprus were most important to this country for military and political purposes, and it was important that we should cultivate the goodwill of the inhabitants of those places. If they were friendly to us, half the battle was gained. Although Malta was a small place, we were bound to hear its case. There was a military Governor. He was a most gallant officer, and deserved the greatest respect in a military and in every other point of view; but his chief work was the care of the garrison. A civil Governor would be employed in other ways. In Ireland we had a Lord Lieutenant and a Commander-in-Chief. Why should there not be the same arrangement in Malta? The people of Malta paid £5,000 a-year out of their pockets for this Governor, who was chiefly employed as commander of the English troops. They said—"We do not think it is fair that we should have to pay the salary of a Commander-in-Chief for Imperial purposes and not for the purposes of the Island." That point deserved consideration, with a view to its being remedied.

Mr. JUSTIN M'CARTHY said, that it was possible to live in a place, and to come out of it, without any very accurate perception of the condition of its inner life. Now, although he had never been in the Island of Malta, he knew something of the state of things which existed there, and had no difficulty, basing his opinion even on the speeches of the hon. Member for Birkenhead (Mr. Mac Iver)—and he (Mr. Justin M'Carthy) was not sure that he would take the views of that hon. Member on any social or political question — and the hon. and learned Baronet the Member for Wexford (Sir George Bowyer), both of whom had lived at Malta, in coming to the conclusion that the system of taxation which prevailed in the Island was not entitled to the approval of the House. In his opinion, neither speech had touched the fringe of the question before the House. There was on the one side a great degree of penury and squalor; while upon the other there was a class who, though perhaps not rich in the sense in which people were said to be rich in this country, were well off; and yet the greater portion of the taxes of the Island were raised on the food on which the poor for the most part lived. Surely, that could not be an equitable state of things; and it was, under those circumstances, absurd, he thought, to speak of the people of Malta as being contented, with their squalor and underground cellars, in the way the hon. and learned Baronet the Member for Wexford had done, considering the abject condition in which they were placed; and he was glad his hon. Friend the Member for Derby (Mr. Plimsoll) had paid the Island a visit and was able to tell the House—what the official Reports did not do—the real facts of the case. He should like, he might add, to see some system of real representation established in Malta, so that reforms might be instituted from within; but by whatever means the end was effected, the present unjust—he had almost said ridiculous—system of taxation, which operated so unjustly, ought to be abolished. In conclusion, he thought they owed a deep debt of gratitude to the hon. Member for Derby for bringing this subject under public attention.

Sir MICHAEL HICKS-BEACH said, he was in the unfortunate position of not being able to agree either with the hon. Member for Derby (Mr. Plimsoll) or his hon. Friend the Member for Birkenhead (Mr. Mac Iver). Though sympathizing with much in the speech of the hon. Member for Derby, he could not but think it somewhat exaggerated, and that the hon. Member made rather too much of the bread tax in attributing to it all that was wrong in the condition of the Island. The bread tax was not even the main source of taxation, for only one-half of the taxes raised came from that source. He acknowledged that was a large amount; but it was less than would be inferred from the speech of the hon. Member for Derby. The hon.

Member represented the tax as a burden imposed by the richer classes in Malta upon the poorer. That was hardly correct, for the hon. Member was unable to bring forward any instance to show that the poorer classes were themselves opposed to the tax. And, surely, the mendicancy of the Island was to be attributed to the poorness of the soil and the scarcity of employment rather than to that cause. The hon. Member also thought that the insanitary condition of the Island was due to the tax; and he instanced houses he had himself seen in some of the worst quarters of the city. There was, he (Sir Michael Hicks-Beach) would admit, a block of buildings, containing about 1,600 persons, which ought certainly to be swept away in any sanitary improvement which might be made; but that particular place was no more a fair sample of the whole of Malta, than a slice from the Seven Dials would be of the state of London. We had, in this country, for many years freedom from taxation on bread; but in spite of that we had found it necessary to pass Artizans' Dwellings Acts, and we had to meet no slight opposition to the taxation required for sanitary purposes. He understood that even in the town which the hon. Member represented, though there was no bread tax, there was a certain amount of disinclination, on the part of the Corporation, to adopt the provisions of the Artizans' Dwellings Act, though it was very necessary that it should be done. He quite admitted that this tax on food was objectionable for many reasons; and he had stated those reasons in the despatch he addressed last year to the Governor of Malta. He quite admitted, also, that the sanitary condition of the Island was capable of improvement, and he had done a good deal since he came into his present Office to promote that improvement. The drainage of what was called the "Three Cities" had been under consideration in Malta; and, finding that by the existing system, which was described as "a system of elongated cesspools," the sewage of a city with 50,000 persons was discharged into the harbour, and remembering that this country, on account of our Naval and Military Departments, was prepared to contribute liberally to the expenses, he felt himself justified in directing that the proposed scheme should be passed through the Council, in spite of the opposition of the elected Members. That step had occasioned much complaint on the part of the hon. and learned Baronet the Member for Wexford and others, who said that Malta had been taxed for the benefit of this country. But Malta would pay only four-sevenths of the cost of a work which was very much for her benefit. The passing of a measure similar in its provisions to our Public Health Acts, which might enable the Government to deal with the insanitary condition of some of the worst places in the Island, had been pressed for some years past upon the Council of Malta, but had been stopped by the opposition of the elected Members. There, again, the question arose whether it would not be in the interest of the Island that the opposition of the elected Members should no longer be allowed to prevent the necessary reforms? When he came into Office, he found that his Predecessor had directed an Inquiry into the system of taxation, and a Report had shortly before been received at the Colonial Office. The subject was new to him; but he had considered it as far as he could; and last summer he addressed a despatch to the Governor of Malta, proposing that one-half of the bread tax should be taken off. It appeared to him that was as far as it was possible to go, considering that there was a heavy burden on the Revenues of Malta for drainage and other matters, and it would be necessary to provide from other sources what was lost by taking off that portion of the tax. The question was necessarily postponed to the present year, and the matter was then brought forward by the Members of the Government in Council, and debated. He was now waiting for the Report of the debates in the Council; because, before proceeding any further, he wished to have before him the views, not only of the official, but of the elected Members of the Council, on this important subject. Some years ago, one of his Predecessors in the Colonial Office—Lord Cardwell—addressed a very well-known despatch to the Governor of Malta, wherein he stated his views as to the weight which should be attached to the opinions of the elected Members of the Council in these and similar questions. Lord Cardwell stated that great consideration should be shown to the opinions of the elected Members of the Council in matters of local interest, and that no vote of local taxation or expenditure should be passed against a majority of the elected Members, unless in very exceptional circumstances, when the public credit was immediately at stake, and never without an immediate Report to the Secretary of State. Having regard to that view, which had been expressed so solemnly by one of his Predecessors at the Colonial Office, he (Sir Michael Hicks-Beach) had thought it was only fair and right that he should pay every consideration to the opinions of the elected Members of the Council on such a subject. He should have failed to pay that consideration if he had, without even hearing the opinions of the elected Members, pressed on the Council of Malta so great a change in their system of taxation as would be involved in the abolition of half this bread tax. As soon as he received those opinions, he should give them the consideration to which they would be entitled; and it would then be his duty to take such action in the matter as the circumstances seemed to him to demand. He trusted, however, that the House would not, that evening, fetter his action upon this question by adopting the Motion of the hon. Member for Derby. That Motion amounted to an expression of opinion that, whatever might be the views of the Maltese, who were the people concerned, at a certain date—namely, in the year 1881—the whole of this bread tax should be repealed, and the whole fiscal system of the Island changed; and that, with regard to certain items of expenditure—such as drainage, lighting, paving, and so on—they should be paid for by the imposition of a rate. But he was assured that the imposition of a rate would be, of all things, the most distasteful to the Maltese: and not merely to the wealthier classes, but to all the householders of Malta. Was that House not merely to alter the whole system of Maltese taxation, but to insist on the householders of Malta declaring a rate for certain purposes, whether they liked it or not? Moreover, would such a proceeding really carry out the views of the hon. Member for Derby? The most telling part of the hon. Member's speech was his account of the wretched habitations in which some of the poorer classes of Malta had to live. Did the hon. Member suppose that if the taxation were divided into two portions, as he would recommend, sanitary reform would become more popular in Malta, if it were to be effected by the levying of a rate, instead of being paid for by the present system of indirect taxation? He was afraid that the adoption of the hon. Member for Derby's proposal would defeat the hon. Gentleman's own object. There was force in the remark of the hon. Member for Longford (Mr. Justin M'Carthy), that reform should come from within rather than from without. Surely, even the hon. Member for Derby would wish that there should be a proof given of the desire of the people, or some portion of it, for a change before it was made. At present, the mass of the people were not represented by the small electorate of Malta; and he thought it a matter which was deserving of consideration whether, in this and similar questions affecting the Island, the first and wisest step would not be to increase in some way the electorate? For these reasons, he would ask the House not to pass the Motion of the hon. Member for Derby; but to leave the matter in his hands, and allow him to try to deal with it on the principles which he had indicated.

Mr. PLIMSOLL rose to reply, but——

Mr. SPEAKER informed him that he was not entitled, by the Rules of the House, to make a second speech.

Question put.

The House *divided* :—Ayes 120; Noes 62: Majority 58.—(Div. List, No. 201.)

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) Motion made, and Question proposed,

> "That a sum, not exceeding £140,530, be granted to Her Majesty, to defray the Expense of various Miscellaneous Services, which will come in course of payment during the year ending on the 31st day of March 1880."

Whereupon Motion made, and Question proposed,

> "That a sum, not exceeding £139,530, be granted to Her Majesty, to defray the Expense of various Miscellaneous Services, which will come in course of payment during the year ending on the 31st day of March 1880."—(*Mr. A. Moore.*)

Mr. A. MOORE said, that they were not asking the Government to increase the salaries, but only to make inquiries with regard to the Roman Catholic chaplains. They asked that the Roman Catholic chaplains might be granted proper facilities to discharge their functions. He thought that that was a very reasonable request. He should also like to know whether the Minute of the 7th of June last had been carried out? for the evidence as to the manner in which it had been carried out was anything but satisfactory. Unless they received a satisfactory explanation on these points, he should certainly move to report Progress.

The CHAIRMAN: Does the hon. Gentleman move to report Progress?

Mr. A. MOORE: No, Sir.

Mr. W. H. SMITH could assure the hon. Gentleman opposite (Mr. A. Moore) that every possible facility was given to the chaplains of every denomination to discharge their duties. He thought that an assurance to that effect had been given when the Vote was last under discussion. He was not aware that there was any absence of those facilities of which the hon. Gentleman complained; and he was under the impression that the gentlemen occupying the position of chaplains were satisfied. He need not refer to communications that passed between those persons and the Admiralty, further than to assure the hon. Gentleman that no complaints had been made by any gentleman holding that position that he had not received every facility in the discharge of his duties. If the hon. Member would bring to his notice any case in which proper facilities had not been given, the matter would receive his attention, with a view to remove the grievance complained of. It was his duty—and it must be the duty of every person occupying the position he had the honour to hold—to afford assistance to the clergymen of every denomination to visit members of their Church, and properly perform their duty.

Major NOLAN wished to bring before the notice of the right hon. Gentleman the desirability of appointing Roman Catholic chaplains on board troopships. Occasionally, it might happen that there were as many Roman Catholics on board a troopship as members of the Established Church. Sometimes 25 per cent of the regiments were Catholics, and some regiments contained a great many more Catholics than others. It must occasionally happen that there were more Catholics on board a troopship than Protestants; the number of Catholics must sometimes amount to between 400 and 500. He should like to know whether the right hon. Gentleman the First Lord of the Admiralty would not think it desirable to send Catholic chaplains with troopships containing that number of Catholics? The right hon. Gentleman very fairly promised that where the number of Catholics exceeded 300 or 400 on board a troopship, then a Roman Catholic chaplain should be sent. Of course, if there were no Catholics, or very few, on board, he saw no reason why the regular custom should be departed from. But, on the other hand, if the number of Catholics on board was great, he did not see why a Roman Catholic chaplain should not be sent as a regular thing.

Mr. GRAY said, he was anxious to ascertain what had been done between that year and the last to remedy the grievance which the right hon. Gentleman had acknowledged to exist? He should like to be informed what changes had been made between last year and the present in accordance with the promise which had been made to the House. He did not mean to impute to the right hon. Gentleman any intention not to carry out his promise in an entirely *bonâ fide* manner, and, doubtless, it had been carried out to the best of his ability. But, still, he should like to ascertain exactly what changes had been made to remedy the grievance which was admitted to exist?

Mr. W. H. SMITH said, that the Admiral commanding-in-chief in the Mediterranean had acknowledged the receipt of the Circular from the Admiralty requesting him to provide religious ministrations for any considerable number of men of the Roman Catholic religion when they were for a long time away from port. The Admiral said that he would

> "Carry out the directions of the Admiralty; but that necessity had not arisen for providing special services for the Roman Catholics on board the squadron."

No doubt, it was exceedingly rare for a vessel to be long away from a port where the services of a Roman Catholic priest were not available; but the orders which had been issued by the Admiralty would, no doubt, be faithfully carried out. The hon. Gentleman would see that the undertaking that had been given on the part of the Government had been fulfilled. Of course, it was impossible to place a second chaplain on board the same ship. With regard to the troopships, the hon. and gallant Member for Galway (Major Nolan) must remember that the accommodation for officers on board them was limited. The troopships running between England and India, as the hon. and gallant Gentleman knew, called at Gibraltar, Malta, and at Suez, where the Roman Catholic soldiers could be landed, if they expressed a desire to do so, and could receive the ministrations of their religion. Whether soldiers or sailors it was the duty of the Admiralty to afford them every proper facility for attending the ministrations of their religion. But he could not undertake to provide a Roman Catholic chaplain for every ship and for every troopship that sailed. Everything that he could do to meet the wishes of hon. Gentlemen to provide for the faith of their fellow-countrymen he would do; but he did not wish to create false impressions, and he did not think it possible to carry Roman Catholic chaplains on board troopships.

MAJOR NOLAN said, that on some troopships there might be 400 or 500 Catholics on board, and he thought that they were entitled to a chaplain. He did not propose putting a chaplain on board a troopship as a permanancy; but it would be possible to send them on board whenever required. Many chaplains would be quite willing to go for nothing, if they were given the passage. The Government had only to hold up its finger, and plenty would offer themselves. With regard to accommodation, there was no difficulty, because every troopship accommodated from 120 to 150 officers. If the right hon. Gentleman was anxious to meet the wishes of hon. Members, he (Major Nolan) thought that it would be easy for him to provide services for troops on board ship, where 400 or 500 of them were Roman Catholics. Probably, where there were less than that number on board, it would not be possible to provide the chaplains. With regard to what had been said about troops obtaining the ministrations of Catholic priests at places where the vessel called, it would be impossible for a large number of troops to be landed, or, if landed, it would be impossible to get them back again. They must either have services on board, or they must do without them altogether.

MR. PARNELL wished to know whether any chaplains had been appointed under the Order issued by the Admiralty? The right hon. Gentleman informed them that the Order directed a chaplain should be provided in certain circumstances; but he did not say whether any chaplains had been provided under those circumstances. The right hon. Gentleman the First Lord of the Admiralty had also said that he could not undertake to provide chaplains for troopships in any case; but would he say that it was his intention to provide chaplains for troopships in certain cases?

MR. GRAY said, that the meaning of the despatch of the Admiral was, that he would be ready to obey the directions, but there was no necessity for them. On a previous occasion the right hon. Gentleman had said that owing to the want of accommodation—a very extraordinary reason, considering the size of the ships—he could not undertake to provide chaplains for every ship; but he used the expression that he would provide chaplains for every squadron. He (Mr. Gray) was anxious to ascertain what chaplains had been provided, under the Order which had been issued; or, if any had been provided at all? It was all very well for the right hon. Gentleman to give them an assurance that something should be done; but they would like something a little more definite. It was a very simple matter to give them the information which they required.

MR. W. H. SMITH observed, that the Commander-in-Chief had orders to embark a Roman Catholic chaplain with the squadron, under circumstances which were indicated in the Circular. In reply, the Admiral had said that—

> "The Minute of the 17th June, 1878, had been carried out, but that the squadron had never been absent from a port where the services of a Roman Catholic priest were available except for a very short time, and it had not been necessary to embark the Roman Catholic chaplain."

He (Mr. W. H. Smith) had distinctly said in that House that he would provide Roman Catholic chaplains for the Fleet when they were away from places where the services of Roman Catholic priests were available. An Order to that effect had been carried out, but the circumstances had not arisen in which the squadron were away from the port for any considerable period; and it had not, therefore, been necessary to embark a Roman Catholic chaplain. If the circumstances had arisen in which it had been directed that a chaplain should be embarked, then the Admiral would have been liable to severe censure for not carrying out the Order; but that had not been the case.

Mr. SULLIVAN could understand that the circumstances exactly contemplated in the Admiralty Minute had not arisen; but he should like to know what arrangements were made by the Admiral for the spiritual needs of the Roman Catholic seamen when the Fleet was in the Black Sea? Did he arrange for the services of the chaplain, and was the payment of that gentleman included in the Vote for the services of those gentlemen who performed chaplains' duty on board ship? He was unable to understand the Vote. They found a Vote for chaplains' services rendered by Catholic clergymen somewhere in the East. With respect to the point raised by the hon. and gallant Member for Galway (Major Nolan), he (Mr. Sullivan) might observe that he had received letters from persons who had gone out to India by the transport ships, which letters spoke very strongly of the necessity of having some such provision on board large transports as the hon. and gallant Gentleman recommended. The right hon. Gentleman the First Lord of the Admiralty would, perhaps, do him the justice to say that he had abstained from appearing unreasonably to press him about the matter ever since he had given the House the undertaking, on which, personally speaking, he had the most implicit reliance—that accommodation should be provided for the Roman Catholics in certain cases. That implicit reliance in the right hon. Gentleman he still had; but he would suggest to him that it might be necessary to see that the Orders which he had issued were carried out.

Mr. O'DONNELL was willing to give the right hon. Gentleman every credit for his good intentions; but, so far as the facts went, they found that there had been no Roman Catholic chaplain appointed to the British Fleet during the recent emergency in the East, although there would have been a war if certain contingencies had arisen. He understood that the right hon. Gentleman the First Lord of the Admiralty did not propose to place Roman Catholic chaplains on board transport ships going out to India, although there might be 500 to 600 or more Catholic soldiers on board. So far as results went, it must be admitted that, up to the present, the promises made had not come to anything. He thought it very desirable, both in the interests of discipline and for the good of the men, that Catholic priests should be placed on board transports when many Catholic soldiers were carried. It was a total misconception of the Catholic religion to suppose that the whole matter ended with going to church on an occasional Sunday. When there was such extensive accommodation for officers on board the transports, he could not see a shadow of reason for refusing the services of a Catholic priest to 400 or 500 Catholic soldiers when going to and from India. The fact was that there was something like prejudice to the presence of Roman Catholic chaplains on board these ships on the part of those who were responsible for the management of the vessels. For his part, he could not see why the services of Catholic chaplains should be refused. The services of a Catholic priest might often be required by the Catholic soldiers on board the ships, and he did not see why they should not be at their disposal. Between the two cases of religion and of the cat, it seemed to him that the influence of religion would be a better deterrent from misconduct, and that it ought to be preferred. He entered into the spirit of his hon. and learned Friend the Member for Louth (Mr. Sullivan), and he was prepared to give the Government credit for wishing to deal fairly with the

Catholic soldiers; but, beyond all question, they would not deal fairly with them with respect to the services of a Roman Catholic chaplain if they refused the services of a Roman Catholic priest to 500 soldiers going out to India.

MR. O'SHAUGHNESSY thought that they required some system by which the ministrations of Catholic clergymen to Catholic sailors should be better secured than at present. He would suggest to the right hon. Gentleman the First Lord of the Admiralty to appoint five or six Catholic chaplains to the Navy, and to send them out when necessity arose. If he did that, he would give the Roman Catholics a much greater confidence than they at present possessed in the impartiality of the system. He did not think that such a provision would involve great expense. If the right hon. Gentleman communicated with the Roman Catholic Bishops of this country, they would place at his disposal, at short notice, four or five gentlemen who could perform the duties, and who he might be able to dispense with when not required. They should draw some pay when not on active service, and be placed on full pay when on active service. That system would give the Roman Catholic clergyman some status. If their services were recognized as a part of the religious service of the Navy, it would go far to meet the desires of all concerned.

MR. A. MOORE said, that the information which he had received led him to a different conclusion to that which the right hon. Gentleman (Mr. W. H. Smith) had put before the House. Apart from the question of troopships was the question of appointing Roman Catholic chaplains on invalid ships. Ships were sent home to England laden with sick men, and it was a hardship to them not to have the services of a chaplain of their religion in their last hours. It was not a question of appointing new chaplains, it was only a matter with regard to the existing Roman Catholic chaplains, who had at present no means of exercising their functions. On Sunday men were sent to church; but no facilities were afforded to the priest to visit and attend to their flocks. In other religions, the Queen's Regulations gave facilities and prescribed the duties of the chaplain. The chaplains of the Royal Navy of the Established Church were distinctly recognized, and given facilities for exercising their functions; but no corresponding facilities were given to Roman Catholics. He thought that the Roman Catholics were treated in a very high-handed manner. He knew that the right hon. Gentleman the First Lord of the Admiralty was very anxious to take Supply; but he thought that, before the Vote was taken, they ought to have an assurance that further facilities should be given and further means taken to remedy the grievance of which they complained. He was as anxious as the right hon. Gentleman to facilitate the progress of Public Business, and so were his other hon. Friends; but unless the right hon. Gentleman would give an assurance, or appoint a Committee to consider the matter, he must move to report Progress.

SIR PATRICK O'BRIEN said, that if something were not done in the direction of removing their grievance they would have an opportunity of discussing the question again. He could see no difficulty in appointing Roman Catholic chaplains to large vessels carrying 800 or 900 troops, of whom some 500, as in the case of the 88th and 83rd Regiments, were Catholics. If a vessel were going a long distance, men were not allowed to land for the reason mentioned by the hon. and gallant Member for Galway (Major Nolan), and he (Sir Patrick O'Brien) did not see what possible objection there could be to allowing them to receive religious ministrations on board. He thought it was a matter of right on the part of soldiers in large troopships to have the services of a priest of their religion. They knew that there was ample accommodation on board these vessels, and that question did, not need, therefore, to be considered in the matter. He could see no reason why the Admiralty should not accede to the suggestion which had been made.

MR. PARNELL said, that it was clear that Roman Catholic soldiers going out to India, or sailors serving on board ship, had had no additional facilities for obtaining the services of ministers of their own religion. Under these circumstances, they could only say that the Order issued by the right hon. Gentleman the First Lord of the Admiralty was entirely illusory, and that it was not calculated to meet the exigencies of the case which had been put forward from time to time. But he thought that they were entitled to something more than mere general promises from the right hon. Gentleman. It was obvious that the plan he proposed had been a failure, and did not meet the requirements of the case, and he thought they might fairly ask the right hon. Gentleman to propose some new scheme. They urged that there ought to be Roman Catholic chaplains on board the large troopships going out to India, on which great numbers of Roman Catholics were carried. In Ireland the services of the priest were much valued, and it was usual, if a man were ill or met with an accident, for the priest to see him before the doctor. They knew what extreme importance many of the humbler classes of Irish attached to the ministrations of a clergyman of the Roman Catholic Church; yet they sent these men out long voyages, and many of them must die without the benefits of the last consolations of their religion. It was much harder for Roman Catholics to die without the consolations of their religion than it was for members of other Churches. In these circumstances, the right hon. Gentleman the First Lord of the Admiralty would see that the mere stoppage of a vessel at such a place as Aden did not give sufficient opportunity for the men to obtain the ministrations of their religion, which they ought to have as the voyage proceeded. Perhaps, at the very time that the services of the priest were available, they were not required, and *vice versâ*. He did not think that the right hon. Gentleman perfectly understood the position, otherwise he would secure the ministrations of their religion to Roman Catholics on board troopships. He begged to move that Progress be reported, and that the Chairman ask leave to sit again. It was manifest that they could not proceed until they had given the Government an opportunity of considering the matter. By the time that the Committee sat again, the right hon. Gentleman the First Lord of the Admiralty would have had time to investigate the question.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Parnell.*)

MR. SULLIVAN begged to repeat exactly what it was that they did require, and what it was they thought should be carried out. They asked that whenever there were 300 men, or thereabouts, in the squadron belonging to the Catholic religion, the men in the different ships should have the advantage of the services of a Catholic chaplain so long as the squadron remained together. He might point out that he and some of his hon. Friends were not quite clear about the statement from the Admiral. His statement was, that they were never away from a port where the services of a local Catholic clergyman were available. If he was to understand by that, that immediately on the arrival of the squadron at any port a clergyman on shore was communicated with, and put at once into the position of chaplain to the squadron, they would be quite satisfied, and thought that was a reasonable carrying out of the promise given to them. But if, on the other hand, it only meant that the Admiral, or one of his captains, was in a position to send on shore for a priest, if his services were required, that was very different. He did not quarrel at all with the Instruction; all he wished to know was as to the way in which it was carried out. They did not merely want that if a man fell from the mast-head, for instance, and injured himself, that a priest should be sent for for him; but that these 300 or 400 Catholic seamen should have a clergyman attending them in the position of chaplain, ready to attend men, even in health, if they required it. They all knew, whatever their religious views, that the visits of their ministers, even if they were not in any immediate danger of death, was something to which they, as Christian men, attached extreme importance. If the chaplain did thus attend the men, he thought, as far as he was concerned, that the Instruction of the First Lord had been very fairly carried out. But if, on the other hand, there was merely the power, or the intention, to send for a priest from the shore, when he was required, that was a totally different thing. He hoped, however, that, in any case, they might not need to report Progress; but that the Vote would be finished at once. This religious question, he might say, was a very sore question with the men actually on service. He had no desire to encumber the Votes with Motions; but he might mention that he had had letter upon letter from men who complained of the absence of a chaplain on board the large transports, for instance, which were constantly going to and from India. There were very often 600 or 700 Catholics on board, and then the absence of a chaplain was most sorely felt. He could not forget, however, the manner in which the Chancellor of the Exchequer had met him when he last brought the question before the House. He could not forget that he was met most readily, and in the fairest possible way; and, therefore, he hoped that this question of the transports would be satisfactorily considered.

MR. W. H. SMITH acknowledged the extreme fairness of the hon. and learned Member for Louth (Mr. Sullivan), and said that, to the best of his belief, the arrangement made last year had been carried out in the sense and in the manner he had suggested. He would, however, make further inquiry, in order to test the fact; because it was the desire of the Admiralty, and of every officer in the Navy, that the consolations of their religion should be afforded to men of the Roman Catholic faith just as they were afforded to men of any other religious faith, whenever they desired to have them. He might just say for himself that, some time ago, a case came to his knowledge in which an officer was severely censured for not having sent for a Roman Catholic priest when a man who was ill desired it. The vessel arrived in port, and circumstances rendered it probable that the man would not recover, and it came to the knowledge of the Admiralty that a Roman Catholic priest was not sent for. The Admiralty, therefore, severely censured that officer. As to the transports, he had said over and over again that he desired to afford facilities to these men for the performance of their religious duties; but he must point out that this was the first time the question had been definitely brought before him with regard to the transports, and that he had not absolute control over them. The ships themselves belonged to the India Office. The men, or rather the soldiers on board, were under the control of the War Department, and the men who worked the ships were, of course, sailors under the Admiralty. He did not know whether it would be possible to put a chaplain on board any of those ships; but he would only repeat that he would do everything in his power to meet any necessities which existed, honestly believing that the men had a right to demand that these desires of theirs should be complied with, and that their religious aspirations should be met. He could not, as the hon. and learned Member would see, give an absolute engagement, which he might not be able afterwards to perform; but he would do all that was in his power, and he would consider, with his Colleagues, how what was desired could be done.

MAJOR NOLAN said, that, for his part, he would be quite content if the right hon. Gentleman would say that where there was a certain number of Catholics on board a ship—say 250, or some such number — an endeavour would be made to procure chaplains. He would not suggest any number; but he would say about 300. Whenever, however, there was a sort of approach to a definite number, an effort should be made to send a chaplain on board. The difficulties raised by the First Lord of the Admiralty really did not exist, because, as a fact, the whole of the management of these transports was exclusively in the hands of the Admiralty. The only difficulty would be to get a return of the number of Catholics going in a particular ship, and he could get that with the greatest ease from the War Office. He knew, of course, that a chaplain could not always be sent, because a draft might be ordered at the last moment, or a larger number of men than was expected might arrive; but they would all be satisfied if he would do his best for sending a Roman Catholic chaplain with a certain number. There were often very much smaller congregations than 250 persons in England very fully provided with religion. These five regular transports, too, were very well known, just as well known as any five parishes in London, and quite as much before the country. He therefore hoped something definite would be done in the matter.

THE CHANCELLOR OF THE EXCHEQUER: The difficulty of my right hon. Friend the First Lord of the Admiralty I take to be this—that this Question which is put to him he is unable to answer, because he speaks for his own

Department only, and he is unable or unauthorized to speak for other Departments. But I can say for myself and my Colleagues in the Government that we regard the proposal which has been made by the hon. and gallant Member (Major Nolan), and the hon. and learned Member for Louth (Mr. Sullivan), as framed in a spirit decidedly fair and reasonable, and we shall do our best to get it carried out.

Mr. A. MOORE did not wish to press his Motion unduly. He was certainly received with a certain amount of indifference and hauteur the other night; but after the candid manner in which the Chancellor of the Exchequer had met him, with that courtesy, also, which he always showed, he should not wish to press the matter further.

Mr. PARNELL also felt very much obliged to the Chancellor of the Exchequer for the very candid statement he had just made, and thought the Motion should be withdrawn.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Whereupon Motion made, and Question proposed,

"That a sum, not exceeding £139,530, be granted to Her Majesty, to defray the Expense of various Miscellaneous Services, which will come in course of payment during the year ending on the 31st day of March 1880."

Mr. SHAW LEFEVRE pointed out that there was a considerable increase in the loss by exchange. It had increased from £300 last year to £2,000 this, and next year it was £1,700. Had any change been made in this matter? He should be glad, also, if the First Lord of the Admiralty would explain the increase in the passage monies?

Mr. W. H. SMITH replied, that no change whatever had been made in the mode of paying the men; and, in this matter, his hon. Friend was aware they followed the directions of the Treasury. He believed that the fall in the price of silver had considerably affected the payments in China and Japan. The increase in the passage money was due to the fact that ships had been re-commissioned abroad rather more than was usual. As the hon. Gentleman was aware, there was a considerable saving in re-commissioning ships abroad, especially when they were at distant stations like Hong Kong. That was the reason for the increase in the passage monies.

Mr. SHAW LEFEVRE observed, that he had no objection whatever to this re-commissioning of ships abroad, and thought, on the contrary, it was a very good system. He understood, however, that it had been given up in consequence of objections which, in his opinion, were very improperly raised to it.

Mr. WHITWELL asked, if the First Lord of the Admiralty would explain the amount granted for Portsea Pier? Was that the first of a series of charges, or was it one amount?

Mr. W. H. SMITH replied, that this amount was asked for in pursuance of a very old arrangement.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(2.) £210,250, for Freight, &c. on account of the Army Department.

(3.) £145,836, Greenwich Hospital and School.

CIVIL SERVICE ESTIMATES.

Class IV.—Education, Science, and Art.

Motion made, and Question proposed,

"That a sum, not exceeding £222,409, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Science and Art Department, and of the Establishments connected therewith."

Mr. ERRINGTON said, he had given Notice to reduce this Vote by the sum of £500, which he understood to be the salary of the Professor of Chemistry in the College of Science and Art, Dublin. This matter arose from a very painful circumstance which had occurred in that College, which had resulted in the dismissal of the Professor of Chemistry. The College of Science in Dublin was one of two or three institutions which was connected with the Science and Art Department in London; and, certainly, they could not complain that any faults in the management were due to want of complete and full inquiries. There was a departmental inquiry in 1862; and the remarkable thing was, that that inquiry resulted in a recommendation that this College should, practically, be disestablished. Then there was, shortly after, another inquiry, the recommendations of which were directly opposite to those of the Committee of 1862, for that Committee recommended that this College should be very considerably extended. A good deal of money was consequently expended; but the result was not very satisfactory, and in 1868 another Commission, of a very influential character, was appointed, presided over by the Duke of Leinster. That Commission had on it some very distinguished men, and it came to a very important decision. It was their recommendations which were now being carried into effect, and, so far as the Department would allow, that should be done. The point which he now wished to raise was that, owing to the manner in which this College was controlled, the results of the money spent in Dublin were totally inadequate and insufficient. The cost of the College of Science and Art in 1876 and 1877 was £7,798, and yet, for all that sum, they could only show 56 students, 3,600 visitors to the Museum, and 840 attendants at the evening classes; whilst the analogous School of Mines in Jermyn Street cost only £6,818, while it had 160 students, 47,000 visitors, and 17,000 attendances at the evening classes. He admitted that the money voted for the Department was amply sufficient; but he was very much afraid, if attention were called to this matter in these days of economy, that they would not continue to grant the money for such an unsatisfactory and inefficient result, and that the amount would be reduced, and possibly entirely withdrawn. The inefficient results of the existing system were due almost entirely to the system of management; and he ventured to hope that the noble Lord in charge of the Department would see the justice, before any step were taken to diminish the grant, of doing something to enable the College to become more efficient. He had just mentioned that a very painful case had recently occurred at the College, and he thought it was one of the causes why it had been so inefficient. Professor Galloway was a most distinguished man, the Professor of Chemistry, who had by far the most successful class in the whole College. He was respected universally; his pupils had been exceedingly successful; and his was the one class which redeemed the College from the charge of very great inefficiency. But while the similar Colleges in Edinburgh and elsewhere had some sort of local directors, or some sort of local head, this Dublin College had none at all; and although the affairs were mainly directed by the Professors, one of whom was supposed to act as Dean, they really had no local control, and all the details of the arrangements had to be reported to London. As a result, there had been all sorts of irregularities going on, and there was a chronic state of complaint and dissatisfaction among the Professors. Professor Galloway had been exposed to a petty system of espionage and outrage, and he (Mr. Errington) could not help thinking that Professor Galloway had fallen most unfairly and unjustly a victim to it. His dismissal had caused a very great sensation in Dublin, and he had the sympathy of persons in very good position. Those acquainted with Professor Galloway's merits were entirely in his favour; and he could not help thinking there could be no stronger illustration of the bad system of management than this which had resulted in his dismissal. He did not propose in any way to bring forward this particular case; but he hoped the noble Lord would consider it at some future opportunity. He could not help thinking it did illustrate the necessity of some great and complete change in the management. At the recent Commission, over which the Duke of Leinster presided, the question was raised, why a system which worked well in England did not work well in Dublin? and it was very clearly shown that in England it had been rather regulated in order to make the most of a College, and of the motive power which already existed in the country, where there was a great demand for scientific and art learning. In Ireland, the case was totally different, and he could not help thinking that the people there required some stimulus to interest them in this work, and that it was not sufficient merely to pass Resolutions. He would really suggest to the noble Lord that there should be some sort of local control, in the sense of a director appointed by South Kensington, who should be responsible to the Lord Lieutenant and the Irish Government; and that there should be, also, some local committee assisting in the direction of this College in Dublin. An experiment had been recently tried which, he ventured to think, would be successful. The Museum of Science, in which his hon. Friend the Member for Dublin had taken very great interest, had a system which he hoped might be made available to the College of Science and Art; and, at any rate, he did hope that some assurance would be given that this matter should be carefully considered.

Motion made, and Question proposed,

"That a sum, not exceeding £221,909, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Science and Art Department, and of the Establishments connected therewith."—(*Mr. Errington.*)

Mr. LYON PLAYFAIR believed there was an anxiety for inquiry in regard to this institution, because it was a very unfortunate thing that a distinguished Professor of Science, who had succeeded in establishing a system of laboratory instruction such as no other Professor had, as yet, succeeded in establishing in Dublin—a man whose work was of great importance to the progress of chemistry and the industrial arts—should, after 23 years' of service, be suddenly dismissed, although he was, at that very time, enjoying the confidence of the people of Ireland, and was teaching, and had previously taught, a great many important pupils. It was clear to him, therefore, that there must be something wrong in the discipline of this institution, and he hoped the noble Lord would not only look into that, but would consider whether Professor Galloway had not been very hardly treated.

Lord GEORGE HAMILTON, in reply, said, that there was much in the speech of the hon. Member for Longford (Mr. Errington) with which he could agree. Originally, as he had shortly and clearly pointed out, the Commission appointed to inquire into the matter made certain specific recommendations, among which was one that it would not be desirable to set up in Ireland a Science and Art Department distinctly separate from South Kensington, as, if that were done, Irish students would be shut out from the larger competitions and the prizes now open to them. His noble Friend who preceded him in Office, the present First Lord of the Admiralty, and the Secretary of State for the Colonies, met in Dublin on this matter, and held a consultation with the Royal Dublin Society, in order to see how the recommendations of that Commission could best be carried out. At the present time, there were a very considerable number of institutions connected with the Science and Art Department in Ireland. He did not think it was a very good arrangement that the Department in London should have the regulating of every minute detail of all these institutions; but, at the same time, it was not easy to suggest the sort of local authority which should be set up. He quite agreed that the case of Professor Galloway was a very sad one, and it was with very great reluctance that he came to the conclusion that it was necessary to dispense with his services. If that step had not been taken, he believed the efficiency, if not the very existence, of the College would have been imperilled. He proposed, presently, to go personally to Ireland to see the various Educational Bodies and Colleges there, and, in consultation with his right hon. Friend the Chief Secretary for Ireland, to endeavour to see if some local authority could not be set up which would deal with these administrative details. The chief control must, of course, remain at South Kensington, in order to prevent a separate system being set up; but these and other points he would undertake to look into during the Recess, in order to see what could be done in the matter.

Mr. BIGGAR thought this question would require very considerable discussion, and as it was a very late hour he would move to report Progress. He heard the speech of the noble Lord opposite (Lord George Hamilton), and he would undertake to say not a single Member on that side of the House had any idea of what it was all about. There were several points he wished to raise on this Vote, especially in regard to the new system of management of the Dublin Society, which had never yet been explained. They also wished to know something about the management of the Royal College, and as it was then half-past 1 it was unreasonable to ask them to sit any longer, more especially as they had to meet at 12 the next day. They had, therefore, only 10 hours in which to get whatever sleep they were to have, and it was very unreasonable to ask them to go on.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Biggar.*)

LORD GEORGE HAMILTON hoped the Motion would not be pressed. As to the Royal Dublin Society, the arrangements made were set forth in detail some years ago, when a Bill on the subject passed through Parliament, and he should be very happy to lay before the House any Papers giving any further information as to the other points. With regard to the College of Science and Art, as he had already stated, between now and next year he would undertake there should be a full inquiry into the matter, with a view of trying to settle the whole question.

MR. O'SHAUGHNESSY regretted they had not had a fuller statement as to the relations between South Kensington and Dublin. The Science and Art Department had done good work in this country, and, perhaps, if it were represented in Ireland by local institutions, it would succeed there; but, certainly, up to the present time, it had not succeeded. Yet there was a vast amount of public money expended through that Department in Ireland, and, for the sake of the taxpayers, he thought it would be desirable to discuss the matter. As to the promises to do something in the course of 12 months, he did not look forward to that with much hope. They had had three or four Commissions dealing with this question; and now the noble Lord opposite (Lord George Hamilton), after being at the head of the Department for some time, was unable to tell them what plans had been settled. The Royal College had been going back for eight or ten years, and they could not allow another year to go by without something being done. They were expending £7,000 a-year upon it, and they could not permit it to dwindle to nothing without some protest. In England, there were Schools of Art all over the country, under the control of South Kensington, and they were doing a very great work; but in Ireland they had not felt the benefit which had resulted from them in this country. He thought they would not be justified, without further discussion, in passing the Vote. An immensity of public money was being spent in Ireland for nothing—["Oh, oh!"]—and it would take more than the inarticulate sounds from the hon. and gallant Admiral opposite (Sir William Edmonstone) to make him forego his right to see that public money was properly spent, and that great institutions were properly managed. He thought his hon. Friend (Mr. Biggar) was quite right in insisting upon his Motion, for at that hour there were no reporters present to tell the people of Ireland what was being done in this matter. He believed they took the very greatest interest in it. There was no subject upon which he received more communications than upon the gross mis-management of all the institutions which existed in Ireland under the patronage of South Kensington.

MR. GRAY sincerely trusted that the Motion to report Progress would be persevered in, for this matter ought to be fully discussed at a time when the Irish people would be likely to know something of the result, especially as the greatest discontent existed all throughout Ireland with the management of South Kensington. Art work in Ireland had been strangled by South Kensington. The noble Lord had said that propositions for improvement had been shadowed forth two years ago. He could only reply that those propositions were just as shadowy to-day. The original Commission suggested that there should be in Ireland a Science and Art Department, sister to, but not subordinate to, South Kensington. That which was a really proper foundation for the scheme was overridden, and it was determined in London that the Irish Department should be a merely subordinate institution to South Kensington. The Royal Dublin Society allowed themselves to be entangled in that scheme, and ever since they had deeply regretted that they had ever become connected with South Kensington at all. So much alarm had been excited by the way in which they had been treated, that the Royal Agricultural Society had come to the conclusion to have nothing to do with a scheme of amalgamation at all. Another plan was to disturb one of the prettiest spots in Dublin by the erection of some buildings in connection with this proposed new institution. But though South Kensington was determined to have this ground, the people of Ireland were determined they should not, and, as far as he could ascertain, there was a great deal of well-founded discontent as to the management of their affairs by South Kensington. He knew, at any rate, there was much discontent at the treatment of Professor Galloway. There was nothing unreasonable in asking that the Vote should be postponed, especially as the people of Dublin were determined to secure that this matter should be dealt with in a satisfactory way.

Lord GEORGE HAMILTON said, hon. Gentlemen were under some misconception as to this Vote; but if there were a wish that the discussion should be more full than was possible at that hour, of course, he would postpone it. There were several Votes, however, now before the Committee, and he hoped hon. Members would consent to take them.

Mr. O'SHAUGHNESSY hoped, when they came down next day, the noble Lord would be able to tell them something about the constitution of the Royal Dublin College. It was not enough to put down a Motion on the Paper on the subject, for that gave no opportunity for discussing all the *pros* and *cons* of the affair, while a word from him would enable them to see exactly how the matter stood.

Mr. ASSHETON CROSS hoped the Motion to report Progress would be withdrawn. He did not know whether there would be any opposition to taking the Vote for the British Museum, especially as the right hon. Gentleman the Member for the University of Cambridge (Mr. Spencer Walpole) had been waiting there all the evening for it.

Mr. WHITWELL thought they might take that Vote, but he hoped no others would be asked for.

Mr. SHAW LEFEVRE said, he wished to make a statement in reference to the British Museum, and he had a Notice on the Paper on the subject; but he should have no objection to make that statement on the Report, if the Government would undertake to take it at a time which would make it possible for him to do so.

Mr. BIGGAR said, he would ask leave to withdraw his Motion, on the understanding that the Vote was postponed, and that only the British Museum Vote was taken.

Mr. PARNELL asked, if the Government would say if they would not take another Vote? If he (Mr. Parnell) and his hon. Friends understood that they were only going to take the British Museum Vote they would like to go home.

Mr. ASSHETON CROSS: Yes.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Whereupon Motion made and Question proposed,

"That a sum, not exceeding £221,909, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come the 31st day of March 1880, for the Salaries in course of payment during the year ending and Expenses of the Science and Art Department, and of the Establishments connected therewith."

Motion, by leave, *withdrawn.*

Original Motion, by leave, *withdrawn.*

(4.) £82,249, British Museum.

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee to sit again *To-morrow.*

UNIVERSITY EDUCATION (IRELAND) (No. 2) BILL [*Lords*]—[Bill 250.]

(*Mr. James Lowther.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That this House will resolve itself into the said Committee upon Tuesday next, at Two of the clock."

Mr. COURTNEY said, he wished very much to oppose this 2 o'clock Sitting. It was quite true that the Chancellor of the Exchequer had made a suggestion on the previous day, that it might be convenient to have an Afternoon Sitting and to resume at 9 o'clock; but no other announcement was made, and he was not aware anything had been done since, in pursuance of that hint till this Motion, although, he believed, something had been said to several hon. Members privately. On the subject of the convenience of a day debate, he was very much in favour of a continuous Sitting; and he begged to propose as an Amendment, that the words "at 2 o'clock" be omitted.

Amendment proposed, to leave out the words "at Two of the clock."—(*Mr. Courtney.*)

Question proposed, "That the words 'at Two of the clock' stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER replied, that a suggestion was made that it was thought they would gain time in that way; and he believed, from what he had heard, that a great many hon. Members interested in the Bill would find it convenient to take a discussion on the Bill and the first series of Amendments moved on the Motion that the Chairman do leave the Chair in the Morning Sitting, and then they might be able to make progress in the Committee in the evening. He did not himself see any disadvantage in the arrangement. He thought it would be convenient to many hon. Members.

Question put.

The House *divided*:—Ayes 70; Noes 2: Majority 68.—(Div. List, No. 202.)

Main Question put, and *agreed to.*

Resolved, That this House will resolve itself into the said Committee upon Tuesday next, at Two of the clock.

GAME LAWS AMENDMENT (SCOTLAND) BILL—[BILL 143.]

(*The Lord Advocate, Mr. Secretary Cross.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That this House will resolve itself into the said Committee upon Monday next."

SIR DAVID WEDDERBURN suggested that as there was no opposition to the Bill it should be taken on the present occasion, as it could be run through in a few minutes, and he did not know when the right hon. and learned Lord Advocate expected a proper time for it to be reached, if it was not taken when an opportunity occurred like the present.

MR. ASSHETON CROSS said, he did not wish the Order postponed.

Question put, and *agreed to.*

Committee *deferred* till *Monday* next.

EAST INDIA LOAN (ANNUITIES) BILL.

Resolution [July 31] *reported,* and *agreed to:*—Bill *ordered* to be brought in by Mr. EDWARD STANHOPE, Mr. CHANCELLOR of the EXCHEQUER, and Mr. RAIKES.

Bill *presented,* and read the first time. [Bill 275.]

WAYS AND MEANS.

Resolutions [July 31] *reported,* and *agreed to:*—Bill *ordered* to be brought in by Mr. RAIKES, Mr. CHANCELLOR of the EXCHEQUER, and Sir HENRY SELWIN-IBBETSON.

AGRICULTURAL HOLDINGS (SCOTLAND) (WARNING TO REMOVE) BILL.

On Motion of Sir ALEXANDER GORDON, Bill to extend the time of warning to remove in the case of Agricultural Holdings in Scotland, *ordered* to be brought in by Sir ALEXANDER GORDON, Mr. M'LAGAN, and Mr. JAMES BARCLAY.

Bill *presented,* and read the first time. [Bill 277.]

House adjourned at a quarter after Two o'clock.

HOUSE OF COMMONS,

Saturday, 2nd August, 1879.

MINUTES.]—SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES, Class IV.—EDUCATION, SCIENCE, AND ART; ARMY ESTIMATES.

Resolutions [August 1] *reported.*

PUBLIC BILLS—*Resolution in Committee—Ordered—First Reading*—Chartered Banks (Colonial)* [278].

Ordered—First Reading—Expiring Laws Continuance* [279].

Second Reading—Regulation of Railways Acts Continuance* [270].

Committee—Registry Courts (Ireland) (Practice) [259]—R.P.

Considered as amended—Mungret Agricultural School, &c.* [213].

The House met at Twelve of the clock.

QUESTIONS.

MOROCCO.—QUESTION.

MR. MACDONALD asked Mr. Chancellor of the Exchequer, If his attention has been called to a paragraph in the letter of the Paris Correspondent of the "Times," dated the 31st ult. which appeared in that paper of yesterday, which states "that the British Government has for a year been helping the Sultan of Morocco to prepare for a conflict with Spain;" and, whether there is any truth in such a statement?

THE CHANCELLOR OF THE EXCHEQUER: My attention has not been called to this cock-and-bull story, and I do not know to what it refers.

IRELAND—THE PHŒNIX PARK.

QUESTION.

MR. CALLAN asked the Chief Secretary for Ireland, Whether his attention has been called to the evidence given, and the verdict returned, at the inquest held on the remains of a man who was burnt to death on the night of Saturday, the 19th of July, at Black Horse Lane, Phœnix Park, to the effect, that though the police on duty in the park noticed the flames, and were within a few yards of the place, yet they could not render any assistance, for the simple reason that the turnstiles leading from the park to Black Horse Lane were locked, and the police had to go round a long distance, which caused them to be too late to save either life or property; and, whether these turnstiles, two in number, have been recently locked at nightfall by order of the Board of Works, Ireland, though a public passage has existed there for the last fifty years, and though there are three other turnstiles in the park boundary which are never locked; and, if so, under what representations and by what authority the Board of Works, Ireland, have taken upon themselves, under the circumstances, to lock out the people of Black Horse Lane from assistance in such an emergency?

MR. J. LOWTHER: It appears that in the case referred to by the hon. Member, supposing some assistance could have been obtained it would have been useless, as the unfortunate man was in a state of intoxication, and must have been suffocated immediately. With regard to the locking of the turnstiles, that practice was adopted in 1876 in consequence of representations to the Board with regard to scenes of disorder in that portion of the Park. It is believed that no substantial inconvenience arose from the arrangement, as all the other turnstiles remained open. The legality of the action of the Board is beyond question, and the general opinion seems to be in favour of it. With regard to persons being prevented from rendering assistance in an emergency, I may state that the police had no difficulty in scaling the wall, and no inconvenience in that respect can be occasioned to the public.

MR. CALLAN: I beg to give Notice that on Monday I shall move for a Return of the convictions for disorderly conduct in the district on the complaint of the police during the three years before and after 1876.

MR. J. LOWTHER: I have not spoken of convictions, but of scenes of indecency and disorder in that portion of the Park.

MR. CALLAN: Then I shall move for a Return of the Reports made by the police as to those alleged scenes of an indecent and disorderly character; because if such scenes are allowed to pass without conviction it reflects on the conduct of the Metropolitan Police.

IRELAND—CHARGE AGAINST AN OFFICER OF THE ROYAL IRISH CONSTABULARY.—QUESTION.

MR. SULLIVAN: I wish to ask the Chief Secretary for Ireland, If it is a fact that the County Inspector of Constabulary, County Tyrone, has had lodged with him a complaint against a sub-inspector in his county, who, it is alleged, on the night of the 11th July, while under the influence of intoxicating liquor, broke into the house of a peaceful inhabitant, and, with revolver in hand, created terror and alarm to the inmates, whereupon he had to be removed by force; if it is a fact that the County Inspector has neglected and refused to hold any inquiry into this grave charge; and if he will promise an investigation into the conduct of the sub-inspector in question?

MR. J. LOWTHER: I must say I concur in the view of the Inspector General that a strong case has been made out for an investigation of what appears to be, not merely a serious breach of discipline, but something more. I am not aware that any proceedings are now pending before the Law Courts; but until it is clear whether such proceedings will or will not be taken it is undesirable that the matter should be discussed, or that it should be prejudged by any inquiry of the Constabulary authorities. I hope the subject will be inquired into in the manner that will best conduce to eliciting the truth. It is right I should add that the officer in question distinctly denies the charge made against him.

EXPIRING LAWS CONTINUANCE BILL.

QUESTION.

MAJOR NOLAN: Will the Secretary to the Treasury be good enough to produce the list of the expiring laws which he proposes to renew in the usual Expiring Laws Continuance Bill? Heretofore it has been the practice to keep the House in ignorance of the names of these Bills until the measure comes on for second reading, and that has been found to be a most objectionable course.

MR. CALLAN: It will also be desirable to state if there is to be included in the Expiring Laws Continuance Bill any Irish Coercion Acts, or Peace Preservation Acts, or any measure having reference to corrupt practices at elections.

MR. J. LOWTHER: There will not be in the Bill which the Secretary to the Treasury proposes to move any reference to Bills of the nature described by the hon. Member for Dundalk.

SIR HENRY SELWIN-IBBETSON: I have sent over to the Office for a list of the Acts which it is proposed to renew, and later in the present Sitting I will show the hon. and gallant Member what that list includes. With respect to corrupt practices at elections, I shall not propose to renew any statutes bearing on that subject, the Government considering it to be more desirable to introduce a separate measure dealing with it.

SUPPLY—THE SCOTCH AND IRISH UNIVERSITIES VOTE.—QUESTION.

MR. A. MOORE asked the Chancellor of the Exchequer, If he would postpone Vote 10 of the Civil Service Estimates, which was the Vote for the Scotch Universities, and was likely to give rise to a good deal of discussion? If the right hon. Gentleman would agree that it should not be taken this afternoon, but postponed to a later day, he thought it would suit the convenience of the House.

THE CHANCELLOR OF THE EXCHEQUER: I believe it is proposed to proceed with the Vote to-day. It is too late in the Session now to consent to the postponement of Votes, and I think it is quite reasonable that we should take it.

MR. A. MOORE moved the adjournment of the House in order to protest against taking the Vote this afternoon. He said the House was quite aware that it was the attitude of the Scotch Members which had almost entirely deferred the settlement of University Education in Ireland for another year, and he certainly could not allow them at this time of the Session to throw out a Bill which was brought in for the benefit of the Irish people, and, at the same time, to obtain for themselves all that they desired for the advantage of their own system of education. It was most unjust, he thought, that the Scotch Members, whilst they were obtaining for themselves all they desired, should persistently oppose the extension of similar advantages to Ireland. Under those circumstances, he could be no party to any Supply being voted for University purposes in Scotland. He hoped the Government would not force the Irish Members to take the course of opposing the Vote that day. It would be better that they should undertake the consideration of those Votes upon which there was not such a strong feeling, and that they should postpone this Vote until a future day. If the Government were obstructed in obtaining Supply through persisting in taking this Vote, the fault would rest with the Scotch Members, who were hampering the Government by their opposition to the Irish Bill.

MR. BIGGAR seconded the Motion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. A. Moore.*)

MR. LYON PLAYFAIR pointed out that the object of the hon. Member was not against the Estimates being taken that day, but against Supply being taken at all for the Scotch Universities. If anything was to be said against Scotch Universities, Scotch Members would be glad to hear it, and to discuss the objection. If the hon. Member said that all Scotch Members opposed the solution of the Irish University Question—["Not all."]—he would at least give him (Mr. Lyon Playfair) credit, as a Member for a Scotch University, for avoiding opposition to increased facilities being granted to higher education in Ireland. He believed that increased facilities were required; and when the matter came to be discussed he would be willing to consider what means could be taken for that purpose. Although there were many persons who held strong feelings against secular education being given in Colleges under a religious superintendence, these were not shared by the Scotch Universities. He hoped hon. Members would think it desirable to give these Votes to Scotland, and he would be glad to answer any legitimate objection that might be brought forward.

MR. PARNELL said, the Irish Members did not desire to make this a contest between the Irish Universities and the Scotch Universities, unless they were forced to do so. What they complained of was, that the Government had put down a Vote for the Scotch Universities in reference to which Notice had been given by the Irish Members that it might be made a matter for serious opposition. Yet they proposed to take it now, only a day before the University Education (Ireland) Bill of the Government was to be brought forward for discussion. He thought the action of the Government in putting this Vote down was calculated to complicate matters very much indeed; because, if this Vote came on, the Irish Members would be bound to oppose it, and they would then incur the imputation—to use the words of the right hon. Gentleman (Mr. Lyon Playfair)—of making it a question between Scotch education and Irish education. Now, they did not desire to do that, if they could possibly avoid it. The Irish people asked for nothing in the matter of education beyond equality; of course, they knew perfectly well that this Parliament would not consent to give the Irish Roman Catholic absolute equality in the matter of education, but he thought some attempt ought to be made to approach it. They could bring about equality in two ways, either by levelling up or by levelling down.

MR. SPEAKER pointed out that any discussion on the matter of University Education in Ireland, until they went into Committee on the Bill that was already before the House, would be irregular.

MR. PARNELL said, of course, he did not wish to discuss that question, as it was to come forward on another day; but he merely pointed out the course of action which must necessarily be taken by the Irish Members. If the Government persisted in their attempt to bring on the Scotch University Vote to-day, it must result in very great complication; and he should have thought the Chancellor of the Exchequer himself would not wish to bring on a matter at a Saturday Sitting which would involve unnecessary delay. In all probability, there would be no trouble whatever if the right hon. Gentleman waited a few days before bringing on the Vote.

THE CHANCELLOR OF THE EXCHEQUER said, the object of meeting to-day, which, of course, was inconvenient to many Members, was really to make progress with Supply, and among these there was a good supply of Business of a non-contentious character. The Government had no desire to impart into the proceedings of a Saturday any of those great controversies that had been shadowed forth; and if they were allowed to proceed with the Votes to which there was not much opposition, they would be prepared to take the Scotch University Vote at a later day. At the same time, he apprehended there would be no objection to take the Scotch Education Vote. The Universities Vote might be taken when they came to the Queen's Colleges Vote.

MR. A. MOORE said, under the circumstances, he had great pleasure in withdrawing the Motion.

MR. RAMSAY said, before the Motion was withdrawn, he wished to corroborate what had been said by his right hon. Friend the Member for the University of Edinburgh (Mr. Lyon Playfair) as to the opinion of the Scotch Universities. At the same time, if there was any item in the Estimate for Scotch University Education which was considered objectionable, the majority of the Scotch Members would be willing to have the Vote reduced, and especially by the amount proposed to be voted for Theological Chairs. It was not desirable that they should come to a decision upon this question on a false issue; and he wished Irish Members to understand that there was by no means a unanimous opposition on the part of Scotch Members.

MAJOR NOLAN said, the Irish Members had no objection to the endowment of Theological Chairs in the Scotch Universities. Everyone knew that the

Scotch people were well acquainted with theology, and that their Theological Chairs were of the greatest value. All the Irish people wanted was that similar benefits should be extended to Ireland. It was not likely that any war would be waged between Ireland and Scotland on that account.

Motion, by leave, *withdrawn.*

ORDERS OF THE DAY.

SUPPLY—CIVIL SERVICE ESTIMATES.

[*Progress.*]

Supply—*considered* in Committee.

(In the Committee.)

Class IV.—Education, Science, and Art.

(1.) Motion made, and Question proposed,

"That a sum, not exceeding £222,409, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Science and Art Department, and of the Establishments connected therewith."

Lord GEORGE HAMILTON said, Progress was moved on this Vote the previous evening, in order that he might make some statement as to the exact position of the arrangements contemplated under the Act passed two years ago in reference to the proposed Art and Science Museum in Dublin. In a very few words he would give the Committee a statement, which, he thought, would be of a satisfactory kind, of the progress made during the past year. All who took an interest in the matter were aware that the proposition made by Government in 1876 referred to two distinct and separate objects. First, there was a transfer to the Government of the teaching functions of the Royal Dublin Society in order that greater opportunity might be given to Irish students and teachers to acquire a knowledge of science and art, subsequently to be imparted in the various schools of Science and Art in which they might be engaged; and the second was to concentrate all the Science and Art Institutions established in Dublin in one building, and to create a Science and Art Museum worthy of Dublin on the site occupied by the Royal Dublin Society in Kildare Street. Last year he submitted an increased Estimate of £4,000 for the purpose of giving increased instruction to the Art School, which had then been transferred from the Royal Dublin Society. That Vote passed. He wished to enlarge that Art School, and that was a part of the question which brought him directly to the other point—the erection of the Science and Art Museum upon the ground occupied by the premises of the Royal Dublin Society in Kildare Street at Leicester House. There was but one site upon which it was possible to build a Science and Art Museum, and that was at Kildare Street. A strong objection was raised to the erection of a Museum on part of that site, and the proprietor, by his lease, had a certain power of preventing anything of that kind, if he objected to it. The only other spot on which it was possible for the Government to build was on certain land in the occupation of the Royal Dublin Society, utilized by them for the purpose of holding agricultural shows. By an agreement which the Government made with them the year previous, the Government undertook to allow either the Royal Dublin Society to hold their agricultural shows in those premises, or to provide them a place with equal facilities for holding shows; and also to take into account any loss the Society might sustain in consequence of such removal. The whole matter hinged on that proposal. Until they had the space upon which to build it was not possible for the Government to bring in an Estimate, or to concentrate the various institutions in Leinster House, Kildare Street. They were anxious to come to an arrangement with the Royal Dublin Society for the transfer of the ground upon which the Agricultural Show was held, and they offered £20,000 for compensation; and they also understood that arrangements were being made with Lord Pembroke by which the Society would secure some 16 acres in another part of Dublin for the purposes of their show. Well, the Royal Dublin Society were not quite satisfied with that offer, although he was bound to say he thought it a very fair one. They wanted a larger sum; and as he was most desirous to bring this matter to a successful conclusion he consulted his hon. Friend the Secretary to the Treasury, and agreed to give them £25,000.

Mr. PARNELL asked the noble Lord to say what it was to be given for? Was it merely for the site of the proposed Science and Art Museum, or was it in compensation for all the property of the Royal Dublin Society to be taken by the Government?

Lord GEORGE HAMILTON said, that £10,000 had been paid to the Royal Dublin Society for their proprietary rights; but the £25,000 he was speaking of was compensation for the transfer of their agricultural section to some place other than Leinster House; and this £25,000 was divided into two portions. The first portion was calculated to be sufficient to enable them to erect the necessary buildings elsewhere; and the other part was to compensate them for holding their meetings in a place where, perhaps, the receipts would not be so large. The sum was quite distinct from the compensation offered for the proprietary rights of the Royal Dublin Society, for that was contained in the Act of Parliament, and was paid as soon as the Act was passed. The Royal Dublin Society assented to this offer of £25,000, with the exception that they said that they must continue their offices on that site. He pointed out to them that it could not be; that if they got the compensation they could not stop in their offices. After very considerable difficulty he got the Treasury to assent to another concession, which was, that arrangements should be made, costing £300, by which temporary accommodation should be given to the Royal Dublin Society for their agricultural section until the offices were ready. There was a considerable correspondence between his Office and the Royal Dublin Society on this subject; and a good many matters not germane to the subject were introduced, and the proceedings were very protracted and slow. A Vote of £10,000 was moved last year for the Royal Dublin Society; but as he could not get them to come to any satisfactory conclusion before the commencement of the present financial year, therefore it was not possible to introduce the Vote before. He thought, however, it was of so much importance that some conclusion should be arrived at, because everything at present was hung up, that at last he was obliged to hint to the Royal Dublin Society that the Government had power, under the Act, if they could not agree with them, to take the site, on the condition that they provided accommodation for them equal to that which had been taken. By that course the Government would take the matter entirely into their own hands. He suggested to them, at the same time, that it would be most desirable, if possible, that they should come to some amicable arrangement, and that he would be only too glad if they would appoint a deputation to come over to London and see the Lord President and himself, with a view to an amicable arrangement. As he had said, £25,000 was to be given to them, in order to enable them to hold their shows elsewhere, and the Government to obtain possession of the land they wanted. It was now necessary to come to some definite arrangement, for if they had not, they might have spent a large sum in erecting a Government building on the land, the title to which was questionable; and after the Government had spent it the Royal Dublin Society might have claimed compensation for the buildings. He did not say it would have happened; but, of course, they were bound to contemplate any possible contingency. Therefore, having arrived at this settlement, they hastened to put it into a legal agreement, and that document was now before the Royal Dublin Society for their signature. When it was signed, that, and all the correspondence, would be presented to the House in a Parliamentary Return. He had been obliged to state these matters at length, and he hoped he had made the matter clear, and the result would be considered satisfactory. They could now proceed with the building, and when completed they could transfer the various art and science collections to the new site. They could enlarge the Art School, and, in fact, by developing the whole scheme, make it worthy of the City of Dublin. The question of site, of course, was one to which they must, to a great extent, be guided by local considerations.

Mr. O'SHAUGHNESSY: Before the noble Lord enters upon the question of site, will he say, in reference to the transfer of collections, that the Royal Irish Academy collection will be brought in with the others?

Lord GEORGE HAMILTON replied, that the arrangements were stated in the Report of last year issued to Parliament, and there was a long correspondence between his noble Friend and the Royal Irish Academy. The proposition was that the collection should be ultimately transferred to Kildare Street. That was at present in perspective, because it would not be possible to transfer the Royal Academy until they had obtained the necessary buildings for its accommodation. As regarded the question of site, as he said before, that was a matter upon which they had, to a very considerable extent, to be guided by local considerations. Under the Act, a certain number of Visitors were to be nominated, and they were to annually report to the Science and Art Department on the condition of the management, and of the requirements of the Museum, and to advise on points of administration. Their functions were mainly in relation to the Science and Art Museum; but that Museum could not be commenced until the site had been selected. At present, those gentlemen who had been nominated had little or nothing to do; but the Department thought their opinion would be very valuable as to the site; therefore, it proposed that the first question referred to their consideration, in order that the Science and Art Department might have the benefit of their advice, should be the site on which to erect this Museum. If they could, as he hoped they would, in the course of next year, greatly develop the scheme laid before Parliament, and, at the same time, could also increase the accommodation and more thoroughly utilize the College of Science, he thought a great deal would have been done towards improving science and art instruction in Ireland. Not much had been done at present; but, still, the Report which had just reached him in regard to certain institutions in Ireland was not unsatisfactory. There had been a considerable increase to the books in the National Library, and there had also been considerable additions made to the Natural History Museum, which was part of the collection already at Leinster House. He was glad to find, also, the number of visitors during the past year was 20,000 more than the last year. He hoped he had given the Committee satisfactory evidence of the wish and the intention of the Department to push on as fast as it could the scheme which for some time past had been under consideration, and which had been embodied in an Act of Parliament. If hon. Gentlemen who took an interest in this matter would only co-operate, he hoped, in a very short time, they would have made such substantial progress as to show that they were in earnest in beginning to make the Science and Art Department worthy of Ireland.

Mr. O'SHAUGHNESSY said, that he looked forward with great pleasure to the advantage which would accrue to Dublin from the establishment of the new Museum and School of Science and Art. But in England and Scotland there were various Schools of Science and Art in different large towns, as well as at South Kensington. There was nothing of the sort in Ireland. He believed that a central School—such as that projected by the noble Lord—would be calculated not only to promote art education in Dublin, but in the whole country. The noble Lord had informed him that it was proposed to appoint Visitors to perform certain rather indefinite duties in connection with the Museum. He would suggest that to make the Institution really useful, and a real College of Science and Art in Dublin, he should take care to avoid the causes of the decadence of the present Royal College of Science. The Visitors should have definite duties to perform which should be pointed out to them. They should not be left to discharge mere indefinite duties; but should have certain allotted disciplinary functions. He was not one who wished the School of Science and Art at Dublin to be distinct from South Kensington. It was highly desirable that Ireland should enter into competition with Great Britian; and, of course, if the national taste were cultivated, there could be a common competition between the three countries among the students of the different nationalities. But in order to obtain that they must put a soul into the Irish Institutions. They must have the government in Dublin which could deal with difficulties as they arose; they must not be dependent upon communications between the Secretary at Dublin and the officials at South Kensington. The noble Lord would not secure a proper and adequate system of art education in Ireland, and would not enable the new Institution in Dublin to work harmoniously with South Kensington, unless he gave a proper and due responsibility to the Visitors of the College at Dublin. With respect to the Royal College of Science at Dublin, it was admitted that it was not at present in a satisfactory condition. The case put forward by the hon. Member for Longford (Mr. Errington) had not been attempted to be controverted. Twenty years ago, when that Institution was under local control, it flourished; but when it ceased to be under local control, and fell under the dominion of South Kensington, and South Kensington refused to constitute there any delegated or deputed body with local control to carry out the arrangements of the Institution, it steadily deteriorated. South Kensington appointed a Secretary and a Council, composed of Professors, who were only given indefinite functions and a most unsatisfactory power for the management of details. No rules were set forth by South Kensington by which that extraordinary local Council of Professors were to act, and they were completely at sea. The result was that those gentlemen fought amongst themselves with regard to their duties and the arrangement of the Institution. One Professor, a gentleman of very great merit, was sacrificed to the Institution in those squabbles. His services might have been saved to the Royal College if the maintenance of discipline had been intrusted to a local body. He should like to know what amount of local government the noble Lord proposed to grant to the new Institution? He did trust that the noble Lord would take an early opportunity of interesting himself personally in the management of the new Institution, and would give adequate and mature consideration to its future arrangements. It had lately been announced that a Commission would sit to inquire into the Endowed Schools in Dublin. He would direct the attention of the noble Lord to the very excellent work done, and the admirable discipline maintained, by the unpaid Trustees now appointed to manage the educational and charitable Institutions of Dublin. It might be necessary to have an official to maintain discipline; but he thought that the arrangements should be under the direction of unpaid Trustees. A Secretary was at present employed in the management of those Institutions, but his duties were limited, and he was subordinate to the Trustees. If the noble Lord would make inquiries, he would be able to find many professional and private gentlemen in Dublin from whom he would be able to select a body who would be well able to manage the new School of Science and Art. But whatever body the noble Lord might select, he would urge upon him the necessity of giving them definite administrative duties. Those duties should be clearly fixed, for unless that were done no real substantial control would be possible. Although subordinate to South Kensington, the Trustees should have local authority. By those means they would avoid the causes which led to the failure of the Royal College of Science. He thought that hon. Members for Ireland would agree with him that the Government deserved their thanks for having given them a central and local School of Science and Art in Dublin. He hoped that it would be made a worthy successor of the Royal College of Science, which in past times had done good service to Ireland.

Mr. LYON PLAYFAIR said, that before the Vote passed he should like to say a word or two in regard to this College of Science. Unfortunately, from some cause or other, its discipline had been exceedingly unsatisfactory. One reason of that, he thought, was that they had a Secretary who was made the medium of communication between the College and the Department in London, whose interest was between the two bodies, and who was not in a well-defined position of responsibility. Sometimes he acted as a superior, at other times he denied possession of powers, and referred everything to London. He only ventured to throw out to the noble Lord that an Institution of this kind scarcely justified a Directorate having nothing to do. But he would suggest the example of Owen's College, Manchester, where a Professor was also the responsible principal. The combination of offices might improve discipline. He wished to add, repeating what he had formerly said, that a great misfortune had been sustained by the dismissal of a Professor who certainly had been of great benefit to Ireland in establishing a practical School of Chemistry in the country.

MR. GRAY said, he did not understand the noble Lord to inform the Committee as to what the nature or the amount of local control was that was to be given to the Science and Art Department, Dublin. Some further control was to be given to the Museum, and he thought the Irish Members would be pleased to know what amount of local control it was contemplated to give. A large number of gentlemen of high position and of great intelligence devoted themselves, without any pecuniary reward, to the promotion of the interests of the educational and charitable Institutions in Dublin, and contributed to give them a healthy local life. They did not want to have a similar experience with regard to the new College as they had already had in the case of the Royal College of Science. If the same plan were followed as in that College the same result would ensue. He did not understand the noble Lord to sketch out what was the amount or the nature of the control he was willing to give, and he thought it would be satisfactory if the noble Lord would give them some idea of the arrangement that was made with the Royal Dublin Society. The offer of £25,000 was not accepted; but when he announced that the compulsory powers under the Act would be put into operation then the terms were, of necessity, accepted. He thought they had not been treated in a way in which they had a right to expect, and he thought the evidence that had been given was scarcely satisfactory; and he might mention that a private meeting was held with respect to the operation of the original scheme with the new Society, and the new arrangement in contemplation, for which the £25,000 was given, and they came to the conclusion, it would be better to have as little to do with South Kensington as possible. What he was anxious for was to elicit some assurance that the noble Lord would endeavour to give as much local control as might be compatible with the working of the Institution. He wished to ask one question with reference to the Vote. The late Irish sculptor—Mr. Foley—bequeathed all his models to the Royal Dublin Society, and he was anxious to ascertain where those models now were, and what their ultimate destination might be? It had been suggested that a large quantity of the collection would be kept at South Kensington. Now, the importance and value of a collection of that kind was to have it in its entirety; and he thought it would be a very serious loss to Dublin and Ireland generally if Mr. Foley's bequest were not carried out in its entirety.

MR. SULLIVAN hoped the Government would carry out the promise made by Mr. Ward Hunt in 1868. That right hon. Gentleman, when Chancellor of the Exchequer, said that the Government was most anxious to give Ireland national institutions of that character, on a basis which he stated at the time. Unfortunately, the Government went back, and re-considered their determination, and nothing was done, though a Commission was appointed to inquire into the matter, and see what could be done. He must confess, with very great regret, that the Report of the Commission of Inquiry had had the result of changing the promise which the Government had made, and had entirely destroyed their hope of getting those Institutions. Under those circumstances, he had been requested, by many gentlemen who had taken an interest in the matter in Dublin, to bring it before Parliament four years ago. He did so, and the right hon. Gentleman the Chancellor of the Exchequer stated that the subject would be taken up very much in the spirit of Mr. Ward Hunt's promise to the Irish people. The right hon. Gentleman the present Secretary of State for the Colonies (Sir Michael Hicks-Beach) was then the Chief Secretary for Ireland, and he took the matter in hand, and after a great deal of time a scheme was proposed. Without being unduly impressed with the importance of his own views, he would urge upon the noble Lord who had charge of the Department the three points which he had previously urged upon the Irish Chief Secretary as being essential to the success of the scheme. The first point was that the control of the Irish Institution should be vested in a Board or Committee of Irish noblemen and gentlemen in Dublin, and that it should be in harmony with the national sympathies of the population, which no subordinate section of the South Kensington system could well be. The second point was, that the system should be in co-operation and in connection with South Kensington, in order to secure uniformity between the Irish Institutions and South Kensington, and to give the students of science and art as great opportunities as possible for study and competition. Therefore, he was strongly of opinion that a Departmental Institution should be in connection and in co-operation with the South Kensington Museum, without any subordination or subjection to it as a mere branch of that Institution. The third point which he would suggest was, that the noble Lord should endeavour not to amalgamate, but to confederate, the three or four kindred Institutions—the Royal Dublin Society, the Royal Irish Academy, and the Royal Hibernian Academy. He protested against any attempt forcibly to amalgamate those Institutions; but he hoped that they would be brought into a sort of confederate action. He was sure that any attempt to force amalgamation upon those Institutions would be resisted by them, and that the attempt would fail. An attempt had been made, despite his remonstrances, to amalgamate some of those Institutions; and he believed that the noble Lord would admit that the failure which he had predicted had resulted. Those Societies resisted being put into a mortar and made into one amalgam at once. If different methods had been adopted, voluntary fusion, no doubt, would in time have followed. He was sorry that the Government had decided not to make the Irish National Museum of Science and Industry self-governing, but that it was to be placed entirely under South Kensington. There was a strong feeling amongst officials at South Kensington that the new Museum at Dublin should be subordinate to them; and their views seemed to have more weight with the Government than those of hon. Members from Ireland. He did not think that the views of those officials were always broad and national, and calculated to forward the interests of science and art, but partook very largely of number one. Officialism seemed to have very great weight with the Government. If they were only to have Visitors in Dublin to look in occasionally at the Science and Art Museum, and were to have no control, gentlemen in Dublin would soon cease to take an interest in the Institution. He might remind the noble Lord that 10 or 20 of the nobility and gentry in Ireland had certainly done very much to forward the interests of art matters in that country for the last 20 years. None of those gentlemen would continue the work they had undertaken if made entirely subordinate to South Kensington—it would be derogatory to their position. If the noble Lord did succeed in getting a Board at first, yet, under such a system, it would break down in a year or two. They would find that, like another great Institution in Dublin, the new College would become a mere corpse. On St. Stephen's Green they had a Museum of Irish industry which cost that country a large sum of money; it was excellent in its way, but they had large collections unvisited, and a Professor lecturing to empty benches. They would do no good with any National Institution in Dublin for the purpose of bringing home technical education in science and art to the people, unless local influence was to have some weight there. He would strongly urge upon the noble Lord, if he desired to give Ireland an Institution which would be thoroughly successful, he should put it under the control of a local board of Irish noblemen and gentlemen with real power to govern it. They had the Marquess of Kildare, Lord Powerscourt, the Duke of Leinster, and other noblemen and gentlemen who, at the cost of their own fortunes, for 20 years past had brought home technical science and art education to the Irish people. He would appeal to the Government to place the new Institution under the care of such noblemen and gentlemen as those, and it would then become a living reality; whereas, if they attempted to work it as a mere branch of South Kensington, it would never be a National Institution, and would fail entirely to produce any satisfactory results.

Mr. PARNELL hoped that the noble Lord would take to heart the speech which had just been delivered by the hon. and learned Member for Louth, and would endeavour to make the management of the proposed Museum of Science and Art as local as he possibly could. He observed that the scheme of the Government proposed that there should be local Visitors; but they knew that local Visitors were only sent there in order to strengthen the central authority, and to give an idea of responsibility where none such existed. They would be local Visitors without duties and without powers. If they merely appointed Visitors without responsible duties and powers, they would have an empty Board of Visitors, who would be entirely inefficient. Upon the other hand, if they gave the Visitors power and responsibility, they would make them take real interest in the life and interests of the Institution, and would encourage them to carry out efficiently whatever functions the Government might be disposed to give them. He regretted that the Government had not been able to place before them in better detail the scheme for the future management of the Musenm. But, perhaps, what they said to-day might have some weight, and be of some little use as regarded the shape the scheme was to take. If the whole arrangements had not yet been matured, there was still time for the Government to re-consider their decision, and to see whether they could not establish some local body in place of the Royal Dublin Society. They still felt the greatest respect and reverence for that Institution, in remembrance of its connection in times past with their history; but that Society had deteriorated, and had not, in late years, held the proud position it once occupied; but, still, they looked up to the Royal Dublin Society as having been the pioneer of instruction in agriculture in Ireland. That Society was the first that taught the Irish farmers how to cultivate their farms to the best advantage, and it had done very much in encouraging them to thrift and industry. In the new Museum of Science and Art which they were about to establish, they should make a worthy successor of the old Dublin Society; but it would never be so unless it was to become a self-supporting and self-governing Institution. If it were to be a mere branch of South Kensington, the usefulness of that Institution would be cramped and confined; and it would never attain the great future which it would have before it under another and different system of management. He hoped that the noble Lord would give heed to the warnings that had been addressed to the Government, and that he would give as much local responsibility and power as he possibly could to those new Institutions.

Mr. E. JENKINS had frequently asked that the Estimates should be presented to the House in such a form that they might be able properly to criticize the items. He wished hon. Members would take the trouble to contrast the Vote of £322,000 that was asked for, in respect of South Kensington, with the Vote that was made in respect of the British Museum. In the British Museum account the particulars of the grant were given in detail; but in the South Kensington account the details were very imperfect. They were not told the number of police employed, or how many Inspectors there were, or how much they were paid; they simply had in the Estimate for South Kensington the general statement that £9,150 was expended on the police. Such information as that did not enable the House to judge whether the employment of the police at South Kensington was judicious or not. He was sure that the noble Lord would feel that it was desirable that South Kensington should be brought within some rule. They had all heard of the celebrated Mr. Cole—he and his friends had been ordering about South Kensington for some years, and scattering the public money in all directions. He was sure that if a Committee of Inquiry of that House were to be appointed to inquire into the history of the expenditure of money at South Kensington, there would be disclosed a system, of which—not to use a harsh name—he could say that it was an expenditure such as had never been exhibited by any other Institution under Government in modern times. He wished to point out why he should move the reduction in the Vote. In the first place, it would be found that, under head D 5, the sum of £8,700 was voted on account of artizans, cleaners, labourers, &c.; on turning to the details of D 5, it would be seen that the amount was said to be for the

> "Wages for works executed in the interior of the Museum, in connection with the exhibition of objects, and repairs connected with the glass roofs, heating and ventilation, also maintenance of the grounds."

He would venture to say that the same items were charged for under the head D 6, which was expressed to be for "heating, lighting, and precautions against fire." The Estimates seemed to be prepared in a very careless manner, for, otherwise, it would seem that D 5 ought to be included in D 6. If the heating arrangements ought to be included in D 6, why did they find them in D 5? That was a conundrum which he would propose to the noble Lord. Then, an item of £7,000 was charged in respect of workmen, artizans, and engineers employed at South Kensington. That was a large sum of money for those persons, and he should like to know how many of each class were employed? Then they came to an item headed "Services common to the general divisions." It could not be for the Science and Art Department, for there was a certain staff for that; and for the South Kensington Department there was also a staff. But, in order to throw them off their guard still further—whether intended to do so or not he did not know, but that was the result—they found sprung upon them the head "Services common to the several divisions." Under that head the sum of £12,920 was expended, which was a large increase on the previous year. They had no information to enable them to judge whether that was a proper expenditure or not, or whether the number of persons employed was justifiable. He supposed that the money would be spent for the objects for which it was voted, or otherwise the Comptroller and Auditor General would notice the matter. What they wanted was to get something like the same careful return of expenditure as was given in the case of the British Museum, so that they might know why the enormous increase in the expenditure at South Kensington took place. He would draw the attention of the Committee to the fact that the expenditure for the police at the British Museum was only £1,960; whereas the expenditure for that item alone at South Kensington was £9,150. The British Museum was a pretty large building, and it had the peculiarity that it was not built with long corridors. It was nearly as large as the South Kensington Museum, and he believed there were many articles of value there. How was it, then, that the police alone in one place cost £1,960, and at the other £9,150? He should like to know whether that additional expense in the case of the South Kensington Museum arose from the India Museum? The more they looked at these Estimates the more they would find that a very large increase in the expenditure at South Kensington had been caused by the India Museum. He thought that it was quite right to draw attention to these Estimates, in order that they might receive satisfactory explanations with regard to them. He wanted to know why the police at South Kensington were increased? There was also one other little matter which had been mentioned to him, and which, he thought, ought to be explained from the Front Treasury Bench. He was told that the Curator or Chief Director of the South Kensington Museum had moved away from the Museum, and that police constables were kept for the purpose of going between South Kensington and his house in order to keep him in constant communication with the Museum, when he ought to be living close to or upon the premises. As the matter had been mentioned in the Press, he thought that some explanation of it was due to the Committee. In the first instance, he should like some explanation as to why the accounts were not presented in a clearer manner; and, secondly, he should like to know why the cost of the police had increased? He begged to move the reduction of the Vote by the sum of £20,608.

Motion made, and Question proposed,

"That a sum, not exceeding £201,801, be granted to Her Majesty, to complete the sum necessary to defray the charge which will come in course of payment during the year ending on the 31st day of March 1880, for the Salaries and Expenses of the Science and Art Department, and of the Establishments connected therewith."—(*Mr. Edward Jenkins.*)

LORD GEORGE HAMILTON said, that with reference to the questions which had been put to him by various hon. Members from Ireland in reference to the new College of Science and Art in Dublin, he thought that hon. Gentlemen who were there on the previous night could bear testimony to the fact that, so far from expressing a wish to centralize the administration, he said that he was prepared to go over to Dublin that year in order to place himself in communication with the authorities, for the purpose of trying to constitute some authority which would relieve South Kensington from a constant interference in minute details of administration. For his part, he really thought that these matters would be better settled locally. But it was obvious that whatever Department was responsible to Parliament must have an officer representing it in that House. Some remarks had been made by hon. Members with respect to the Foley Collection. Almost all those works were plaster casts, and an enormous quantity of them were duplicates. The question was, what was to be done with those things? They were very anxious to keep the collection in its entirety; but it would have cost £3,000 or £4,000 to have removed the entire collection to Ireland, and to have placed it in a proper state of repair. Under these circumstances, it caused some little embarrassment to the Executors to know what to do with them, and the Government had consented to give £500 in order to make the necessary repairs, and to take over to Ireland the most essential and important parts of the collection. A committee of three gentlemen, one of whom was an Irishman, was appointed to superintend the work, and to select those casts which were most valuable. Those had been taken to Ireland. They would be glad if any local authority in Ireland, or any municipal authority, would make some offer to take a certain amount of the casts that remained, as they did not know what to do with them. There could be but one opinion that it was most advisable, on the part of the State, to encourage bequests of a really valuable character; but it would not be wise to lay down a rule that they would spend any sum of money in taking care of and repairing those bequests. They had accepted the bequest in the present instance in consequence of the eminence of Mr. Foley, and of the value that his studies would be to the students. With regard to the observations of the hon. Member for Dundee (Mr. E. Jenkins), he was not aware that he had made out any case for a comparison between the British Museum and South Kensington. [MR. E. JENKINS: Between the accounts.] One Institution presented its accounts in one manner and the other in a different manner. It should be remembered that the British Museum, although a most important Institution, was not of an educational character. On the other hand, South Kensington was not only an educational but a teaching and examining Institution; and all its collections and treasures of works and arts were for the express purpose of teaching and encouraging science and art throughout the country. It was not possible even for the best accountant to place the accounts of South Kensington before the House in the same form as those relating to the British Museum. Anyone with experience of the work at South Kensington would corroborate him in the statement that the complicated nature and the variety of the work done would prevent the accounts being put before the House in the same form as those of the British Museum. The hon. Member requested some information concerning certain expenditure. The hon. Member would find that D 5 related to repairs connected with heating and ventilation, while D 6 was an Estimate of the actual cost of lighting, heating, &c. It was not an encouragement for them to give the additional information which the hon. Member desired, when he criticized the details they had given. As regarded the other point made by him as to the difference of the Vote for the police that year and the last year, that was, no doubt, a proper object of criticism. The increase in the Estimate arose from the fact that some of the police had had to be paid for extra time, owing to the late hours at which the Museum was kept open—that was also the reason for an increase in other branches of the Institution. The hon. Member had called attention to the difference in the Vote for the police at the British Museum and at South Kensington. The reason for that was very simple. At the British Museum all the watching was done by attendants; whereas, at South Kensington, they found it more economical to keep policemen on duty both inside and outside the building. Then the arrangements at the South Kensington building rendered the employment of a larger number of policemen necessary. Then, again, the inflammable nature of a large portion of the collection at South Kensington rendered it necessary to have it very well watched. Taking all those matters into consideration he did not think the Vote for the police at South Kensington was at all excessive. He would be glad to meet the views of the hon. Gentleman with regard to putting the accounts into a shape that everyone could understand them; and he thought that that could be best done in the direction of making them more compact. Some services were put generally in the Votes as common to the divisions, because they could not be accurately assigned to either of the divisions of the Science and Art Department exclusively. He could assure the hon. Gentleman that he had personally gone over the Estimates both with regard to the amounts and objects of the Vote; and if the hon. Gentleman would only look at the enormous amount of work done by the Science and Art Department throughout England, Ireland, and Scotland, he did not think that he would consider that the expenditure had been great.

Sir GEORGE CAMPBELL said, that with regard to the police at South Kensington, a portion of the expense was in respect of the buildings given up to the India Museum. It did seem to him that the charge for the police at South Kensington was very large. He would wish to suggest that there might be a more economical mode of watching the Institution than having regular police, who were enormously expensive. For every man who might be employed to watch the building they were obliged to employ three policemen at enormous expense. He hoped the noble Lord would devote his attention to the possibility of cutting that item of expense down. With regard to the general charges for the Museum, it seemed to him that those were not fixed regular charges that could be checked, but were in the nature of discretionary charges. He should like to know in whose discretion those charges were, and by whom they were checked? The noble Lord had said that he had personally checked them. He had no doubt whatever that the noble Lord brought his great financial abilities to bear on the subject; but the noble Lord had great public duties of various kinds to perform, and it was impossible for him to check the whole details of that great discretionary expenditure. He wished to know who was the person responsible for the checking of those details? Perhaps the head of the Department of the Museum was responsible for the expenditure. He did not think, if that were so, that it was a right system; because every man, however honest, was desirous of increasing the expenses of his own Department. If the expenditure could be put into the shape of fixed salaries, there ought to be some limit to the discretion used. It seemed to him that until the responsibility was put into the hands of professional men to deal with, it was not likely that any limit would be assigned to it, or that it would be properly checked.

Mr. RYLANDS complained of the inconvenient form in which the accounts were arranged. If one wished to look at the estimated total expenditure, or the estimate of extra receipts, he would have to search through half-a-dozen pages, where would be found a number of little notes, in which certain information was given as to the amounts received for different purposes by the Department. For instance, on page 302, under the head of "Heating, lighting, and precautions against fire"—a most unlikely place to find anything about the Museum fees—it would be found that the fees for admission to lectures in September, 1878, amounted to £2,201 7*s.* 2*d.* Again, it would be observed that in several pages there were notes giving information as to the amount of money received in fees by the different lecturers and teachers. He thought it desirable that they should have an account showing at once the Estimate for expenditure and the Estimate of receipts from all sources, giving the fees for admission, fees for lectures, and for all other branches for which they were received. His reason for directing attention to this was the fact that some years ago there had been a great scandal in connection with the South Kensington Museum, owing to the laxity with which the accounts were kept. He would, therefore, wish it to be made perfectly clear that all the fees received for all purposes had been paid in and accounted for; and that where the officials had claims to these they should receive them by direct payment, and not by adding them to their accounts. Upon the occasion to which he had alluded, fees were paid to parties who did not give an accurate account of them. A fraud of considerable magnitude was committed, and the public lost a large sum of money entirely in consequence of the laxity in keeping the accounts of receipts for various purposes connected with the Department. He trusted, therefore, that he should receive a promise from the Government that, in future, the accounts for the South Kensington Museum would be brought before Parliament in the manner in which he asked that they should be presented.

Mr. LOWTHIAN BELL said, the amount of wages paid to some individuals appeared rather high. But there was one item, in particular, about which he desired information. The gas foreman, whose salary was 50*s.* a-week, was charged, in page 302, at the sum of £143. That was clearly wrong; and he suggested that, at all events, those persons who had the framing of the Estimates ought to be correct in their arithmetic.

Mr. E. JENKINS considered that the statement which had been made by the noble Lord was more satisfactory than any he had yet heard from the Front Bench opposite, and that, to a certain extent, it answered the strictures made with reference to the British Museum and South Kensington Museum. If the noble Lord would give his attention to the subject of the accounts, and endeavour to arrange them in future in such a manner that they might be criticized with more intelligence, he should be willing to withdraw his Motion for the reduction of the Vote.

Lord GEORGE HAMILTON said, that everything possible should be done to render the accounts clear in future.

Mr. WHITWELL said, it would be found, by reference to E 1, page 302, that the persons who had prepared the Estimates gave the Committee little information. They were told, with reference to the School of Science and Art, that eight technical and special assistants formed an ingredient in this item of £7,400; but the charge for these eight individuals would not come to much more than £300, the balance, apparently, being made up by temporary clerks and copyists, at 10*d.* an hour, their number or salaries unspecified. The next page showed a sum of no less than £12,000 for wages classified under attendants from 2*d.* an hour and upwards. It appeared to him that, in ordinary Institutions, wages' accounts would not be presented in this miscellaneous form. Further, this indiscriminate mode of statement did not give the number of persons employed, as generally given in these Votes. He thought that more precise information should be given in future.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Lord GEORGE HAMILTON suggested that the Committee should pass from the 2nd to the 9th Vote of the Class, the two subjects being more connected than the intervening Votes.

(2.) Motion made, and Question proposed,

"That a sum, not exceeding £266,766, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1880, for Public Education in Scotland."

Mr. RAMSAY said, he should not occupy much time; but felt that the arrangement, by which the Government had rendered it necessary that they should assemble in the House that day, at the end of the Session, to discuss a Vote of so much importance as that of Public Education in Scotland, was not creditable to their management of Public Business. He felt that no Vote passed in the House had greater importance than that which related to Education; and it, therefore, appeared to him that instead of going on, as the House had done, discussing Business of trifling importance for weeks during the earlier part of the Session, it would have been better to present the Estimates earlier, and not allow hon. Members to spend their time as if they were brought there without any adequate cause. Had the House assembled in March instead of February, he could have understood that there was some excuse for asking hon. Members at that period of the Session to discuss the Education Vote for Scotland; but, as it was, they had, without excuse, been thrown into a position in which they could not criticize it, and anything more discreditable than this he could not conceive. He hoped that this expression of opinion would not be lost upon the Leader of the House, and that he would take care next year that justice should be done to the Estimates, and that the Scotch Members should have the same amount of time for copious criticism as had been so successfully employed by the Irish Representatives. Those hon. Members had succeeded in obtaining from the Government complete control over the Business of the House as regarded the Irish Votes. To-day, the Scotch Representatives who had come down to the House found the Vote left over until the hon. Gentlemen who represented Irish constituencies would graciously permit them to have this Vote considered. He thought that if this was the way in which right hon. Gentlemen opposite were going to manage the Business of the House, although the Scotch Members were not gifted with the eloquence of the Irish Representatives, they might certainly claim to practice the same persistent efforts as the Irish Members had done so successfully.

The CHAIRMAN: I must point out to the hon. Member that the topic on which he is now entering has nothing to do with the Vote for Scotch Education.

Mr. RAMSAY had himself felt that he was rather travelling beyond the Scotch Vote, and was, therefore, not surprised that the Chairman had interrupted him. He had merely endeavoured to give expression to some of the indignation felt by Scotch Members at that time, by being made subject to the will of hon. Gentlemen below the Gangway. Perhaps the Committee would permit him to say that this view of the question would be considered in a future Parliament, and that the time of the House might be saved by the Government having the Estimates in such form that the whole of them might be considered in an earlier period of the Session, and that the House might not be left until the end of the Session to deal with the Votes in Supply. He wished to point out to the noble Lord, with regard to the Vote before them, the necessity of providing that the Code which regulated the operations of the school boards in Scotland should be presented henceforward at an earlier period of the Session than it had been for some years past. He had already taken the opportunity of mentioning to the noble Lord the great inconvenience which Scotch Members were subjected to, from the fact that the Code, which ought to be placed on the Table 40 days before the time when it was adopted, was very often presented in form only to the House, for, in substance, they did not get it before these 40 days had expired. He did not think that there could be anything more unsatisfactory than that. He remembered that, some years ago, a complaint was made upon the same topic by a Scotch Member who failed to get any opportunity of stating his objections to the Code, or his Amendments to it, before the House, in consequence of its only being circulated to Members one or two days before the 40 days had expired. Before that hon. Member had an opportunity of bringing his views forward the 40 days had expired, and he found that he had no right to occupy time in discussing the question. The Code this year was not circulated amongst hon. Members until after the expiry of the 40 days, although, as everyone knew, it was laid upon the Table in dummy. The particular point to which he referred was the change made in the Code of the present year, as compared with the Code in the past, and of this, no doubt, the noble Lord (Lord George Hamilton) would give a satisfactory explanation. This change enabled the Department in Scotland to deal with the schools in a way that they had not been able to deal with them previously. The noble Lord would be aware that under one sub-section of the Code (17 C) the premises of a school were required to be "healthy, well lighted, clean, warm, properly furnished, &c," and containing "sufficient accommodation for children attending the school." This was a very important alteration of the provisions of last year, which laid down that in the principal school rooms and class rooms there should be 80 cubic feet of internal space, and eight square feet of area for each child. The effect of that was to take away from the Department the power of giving the grant in any school where there was no such provision for each child. But the Code of 1879 said—

> "In administering this Article of the Code the Department will endeavour to secure 80 feet of internal space."

That was to say, they would only endeavour to secure what was previously compulsory. Formerly, there was no option in the case of board schools in Scotland, and all of them had to be constructed with reference to the requirements of the law. But it was now left optional to the Department to insist upon it with reference to the schools which had not previously received the grant. They were now going to give the less efficient schools a grant, thus aiding in establishing denominational schools, which could be set up by anyone merely for the purpose of injuring the board schools.

He believed he was not in error in saying that, practically, the operation of such schools was that, with less perfect machinery, they were enabled to injure the board schools, and he, therefore, deprecated any such change in that respect; and he thought it would not be contended by the greater number of those persons in Scotland who supported denominational schools that any such change in the law should be made. The noble Lord would be able to explain whether this was the practical object which the Government had in view in making the change. He trusted that the noble Lord would attend to his suggestion as to the way that the Code should be presented in subsequent Sessions, and that it should not be regarded as circulated in form until it was in the hands of Members of Parliament, in order that any suggestion for amendment might be discussed and considered by the Department before the 40 days expired.

Mr. GRANT DUFF said, that as the hon. Member behind him (Mr. Ramsay) had been ruled out of Order in some general remarks upon the course of Business and the conduct which the Government had thought fit to pursue with regard to Scotch Business, he would put himself in Order by moving that the Chairman do leave the Chair. He wished right hon. Gentlemen opposite to understand that the Scotch Members did not think it fair or just to their constituents that Scotch Business should be postponed in deference to the wishes and, he might say, the whims of Members representing another part of the United Kingdom. It had never been the custom of Scotch Members to trouble the House at great length upon Scotch or other affairs. They had had for many years, on the contrary, the reputation of being amongst the least talkative Members of the House of Commons. But he would warn right hon. Gentlemen opposite to understand that if Scotch Members thought fit to adopt another line of tactics there was nothing simpler to accomplish. Nothing would be easier than to take objection to every clause of a long Bill. They also could put down 20 Amendments to a single Vote in Committee of Supply; and although they would be extremely unwilling to do so, being desirous rather of adhering to the ancient and usual method of carrying on Business in the House, yet it might be that they would be obliged to do so. There was no Scotch Member who would go down to his constituents during the Recess who would not have thrown in his face the example of the manner in which the Irish Members got their own way with regard to their Business; and it would be very difficult to resist the pressure that would be brought to bear upon Scotch Members to induce them to adopt a similar course. He hoped they would be able to avoid doing so; but the Government had put them in a position of extreme difficulty.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Grant Duff.*)

Mr. LEVESON-GOWER desired to make some observations with reference to the subject of cookery as a branch of Education.

The CHAIRMAN: Order, Order! The Vote before the Committee is the Vote for Scotch Education, on which a Motion has been made that I do leave the Chair. The observations of the hon. Gentleman would, I presume, have been germane to the last Vote passed—that for South Kensington—and, therefore, these observations would come more fitly upon the Report of that Vote than upon the Vote for Scotch Education.

Mr. LEVESON-GOWER: But I want to speak of the Education Code.

The CHAIRMAN: Of course, if the hon. Gentleman's remarks refer in any way to the Scotch Vote he will be quite in Order; but, otherwise, I think it would be more convenient to postpone them until the Report.

Mr. LYON PLAYFAIR said, that he was not surprised that his hon. Friend (Mr. Grant Duff) should have made the protest he did after coming in the expectation of discussing the Scotch Votes, and then finding that suddenly, not in deference to the wish of Scotch Members, but entirely against their wish, and in submission to Irish Members, the Chancellor of the Exchequer had postponed the Scotch University Vote. It was much to the inconvenience of Scotch Members, and it would be very much to the dissatisfaction of the Scotch people, who had no desire to see the Scotch University Vote mixed up with the Votes for the Queen's Colleges. They were postponing these Votes, in order to bring them into the vexed question of Irish University Education. He did not know whether a feeble yielding to dictation was government; but, at all events, it was a government of a kind which they had not been accustomed to. It was yielding everything to those—he would not say who obstructed Business—but to those who were very copious captious critics of the Business of the House. The result would certainly show that they might convert Scotch Members into copious captious critics also. At all events, he wished to point out that the course the Government were taking on that day would certainly cause the greatest dissatisfaction amongst the Scotch people. It was so obstructive to Scotch Members that he was surprised that the hon. and gallant Admiral opposite (Sir William Edmonstone) did not rise in his place and protest against the way in which Scotch Business was being treated, merely because certain Irish Members said it would suit their purposes that the Scotch Votes should be mixed up with the Irish University Question.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I have really very great difficulty in understanding what can be the nature of this copious criticism to which we are to be exposed on all occasions in the future. My only object is to get on with the work of the House, especially, if possible, at a meeting like this, which is of a rather exceptional character, and which could only be attended with some inconvenience to hon. Gentlemen. But, having so attended, it was our object to try to take such Business as could be conducted and discussed upon its merits. The right hon. Gentleman opposite (Mr. Lyon Playfair) said we have imported into this question another question with which it has nothing to do. But I must point out to him that we have done nothing of the sort. We cannot help it; nobody can help it if the Members for Ireland think it right to take the opportunity on a Vote for Scotch Universities to introduce questions which, as the right hon. Gentleman opposite says, ought to be kept distinct. But it is not a question of whether they ought to be kept distinct. We cannot help the questions being mixed together. I am perfectly satisfied that if we had gone on with the Votes we should have had a long and, perhaps, animated discussion ranging over several hours, and that no progress would have been made. Therefore, I thought it better to put aside all those subjects which might give rise to discussion and animated controversy, and devote the day to the humble and useful part of discussing those questions which did not import, and cannot be held by anybody to import, merits other than their own. The Primary Education of Scotland, which, I believe, is the Vote now before the Committee, is one which, in our opinion, may be fairly discussed apart from any other consideration. We do not want to import other considerations into the Vote for the Scotch Universities; but we know perfectly well that that Vote would not be discussed irrespective of such considerations. I think we acted, upon the whole, a wiser and better part in proposing to let the question stand over to a later day, when it could be taken simply upon its own merits. I cannot help thinking that the course now taken by the right hon. Gentleman opposite is unintelligible, and one which, if I may venture to say so, is altogether absurd; and I think that my right hon. Friend will see that it is hardly reasonable that we should be made to stop the Vote upon the Scotch Primary Education, because we have not thought it advisable to take the Vote for the Scotch University.

MAJOR NOLAN thought that the Scotch Members had not got up early enough that day. For the information of the hon. Gentleman the Member for the Elgin Burghs (Mr. Grant Duff), he would state that, when the House assembled, there were only 37 Members present, including eight Irish Members, and one or two Scotch Members only. Therefore, had the Irish Members wished, and if the Chancellor of the Exchequer had held out, they could have put an end to the Business by simply moving that the House be counted before the Scotch Members came down. If the Scotch Members thought that their Votes were so important, they should have come down to support them; but, instead of that, the hon. Gentleman (Mr. Grant Duff) himself was not present for a considerable period, and when he did come down he found that a very satisfactory arrangement had been come to with the other Members at an earlier period of the Sitting. It was not the Irish Members, he might point out, who had mixed up the Irish University Question with anything else; it was the Scotch Members who, when the hon. Gentleman's (the O'Conor Don's) Irish University Bill was introduced, took a very demonstrative part in objecting to it; and that had been the reason for the action of the Irish Members. He was sorry that the interests of the two countries should be run in opposition to each other in this House; but there was no doubt of the very prominent way in which the Scotch Members had interfered with the Irish University Question. The Scotch Members had all they wanted —they had five University Votes in the way they liked best; but when the Irish Members tried to get something of the same sort for their country, they took a very prominent part in attempting to thwart them; and the result was, that the Irish Members were anxious, whenever the Scotch University Question did arise, to contrast the position of the two countries. They did not wish to take away from others what they wanted for themselves; but if the Scotch University Votes were to be debated on one day, and the Irish University Votes on another, the result would be that there would be two debates instead of one—a waste of power and time which very naturally appealed to the Government.

Sir GEORGE CAMPBELL said, he confessed he was not in the House at 12 o'clock, because he did not think it necessary to be there at the very commencement of Business. He knew that there were other Votes to be taken before the Scotch Votes; but he came down at 1 o'clock, and then he found that the Scotch University Votes had been put off. For his own part, he should be delighted to contrast the sum which was given to Scotland for University purposes with the sum hon. Members proposed to give to the Irish Universities. It seemed to him, having watched the recent proceedings in Supply, that the Government were now setting a most dangerous example in yielding to the coercion of hon. Members below the Gangway, who generally succeeded in getting their own way by a Motion to report Progress. That morning there had been a Vote before the Committee with regard to the Navy, upon which a question had been raised with respect to the appointment of Roman Catholic chaplains to Indian transports. In that case the Government yielded, although the First Lord of the Admiralty had given very good reasons why he should not yield to the representations of Irish Members.

The CHAIRMAN wished to point out to the hon. Member that he was not in Order in referring to the details of the debate which had taken place upon another Vote.

Sir GEORGE CAMPBELL was merely saying that, very excellent reasons having been given why the Government should not yield to the Irish Members, he had retired into the Lobby. But he afterwards found that, as a matter of fact, they had had their own way. The Irish Members had moved to report Progress, and the Government had given way, after showing reasons why they should not do so.

Mr. SULLIVAN mentioned that the Irish Members were often informed in the Lobbies, by other Members of the House, that the Government were very unreasonable in resisting the demands of Irish Members.

Mr. GRANT DUFF did not wish the right hon. Gentleman opposite to misunderstand the views of himself and Friends. The Scotch Members had no quarrels with hon. Members from Ireland, who, no doubt, considered what was the best way of managing their own Business, against which the Scotch Members had nothing to say. They complained that the course pursued by the Government would oblige hon. Members from Scotland to adopt the same tactics as were employed by the Irish Members. As to the taunt that the Scotch Members were not in the House at 12 o'clock, he could only say, for his own part, that he had no reason to suppose the Scotch Votes would be on at 12 o'clock, and he had no interest in any others. He had no wish further to interrupt the Business of the Committee; but he must again point out that the Scotch Members had constantly dangled before them the concessions which were made to other persons who could make themselves intolerable to the Government. ["Oh, oh!" "Order!"] He repeated, persons who could make themselves intolerable to the Government, for he did not think there was anything un-Parliamentary in that expression. He would remind the Government that the Scotch Members only wanted the will to make themselves intolerable also.

Mr. PARNELL said, the hon. Gentleman had threatened, on behalf of the Scotch Members, to "adopt the tactics of the Irish Members"—whatever those tactics might be; for his own part, he did not know what they were. The hon. Gentleman uttered this threat because the Irish Members "had been successful in obtaining concessions from the Government." He (Mr. Parnell) wished the hon. Gentleman would point out what those concessions had been, for he was sure the Irish Members themselves knew nothing of them. As to the success of the Irish Members, it should be remembered that the Scoth Members required nothing—they had all their wants satisfied, and had absolutely no demands to make upon the Government. Indeed, the Scotch Members were now in the position of the proverbial dog-in-the-manger, which, having got all it wanted, lay there, in this case, to spoil what it could not utilize for itself, rather than allow the Irish horse to have its proper feed. That was really the position the Scotch Members had taken up in reference to this whole matter. If Scotland had not always been the spoilt child of England; if she had not always had every legislative facility; if she had not always had everything she required; and if, when she wanted anything, she had to do more than ask for it, there might have been some excuse for the very remarkable attack of the hon. Member who sat upon the Front Opposition Bench. But the Irish Members had gained nothing. It was absurd to say that any concession had been made to them. He contended that the Scotch Members had nothing to ask, while the Irish Members had a great deal to ask for; and if that were not their position there might have been some reason for the course which had been taken by the hon. Member in this matter. It was very ill-natured on the part of the Scotch Members to come down to the House to blame Irish Members for doing their duty. They had always assisted Scotch Members in getting their Votes, and that was far more than the latter had done for them. He thought they were entitled to the assistance of hon. Members from Scotland in asking for what was justly their own.

Mr. RAMSAY said, as he was the cause of the conversation which had taken place, he thought it due to the Committee to state that the hon. Member for Meath (Mr. Parnell) had entirely misapprehended what had been said, when he spoke of the Scotch Members denouncing the Irish Members. He (Mr. Ramsay) certainly had not denounced the Irish Members. On the contrary, he sympathized with them in their endeavours to obtain what they required. But it was a very different thing if the whole government of the country was to be placed in their hands, instead of in the hands of the Executive, who were the only persons responsible to Parliament. Whenever the Irish Members had had any important end to obtain, that end had been obtained by persistent efforts. At all events, that was the impression left on his mind; and he did not think the right hon. Gentleman opposite could be surprised if, without indulging in any denunciation, the Scotch Members were to declare that they would imitate the course pursued by the Irish Members, and would follow in the same track which had been so well and so successfully trodden. The Government certainly ought not to be surprised if the Scotch Members made that declaration. When he commenced his remarks he had intended to make some complaints as to the course pursued by Government; and he would take advantage of the right hon. Gentleman being in his place for making a formal complaint as to the way in which Supply had been dealt with during the present Session. He pressed upon the Leader of the House, who had been most willing, as all acknowledged, to meet the requests of hon. Members, and who had the management of Business, the necessity for bringing forward Supply at an early period of the Session, in order that it might be fairly attended to, and meet with the copious criticism which it was the province of the House of Commons to bestow upon the Estimates. Instead of that, however, the Government had introduced a number of Bills, of which they did not even themselves approve; and they had brought forward and occupied much time in discussing Bills which they were prepared at once to abandon. He wished to point out to the Government the necessity of having their arrangements in such a form that the Estimates could be laid before the House immediately at the beginning of the Session—a course that would promote Public Business. As the matter had stood this year, for six weeks after hon. Members came to London, it seemed as if Parliament had been summoned by some mistake. He trusted that his suggestion, which was not made in any spirit of hostility to Her Majesty's Ministers, would not be lost sight of.

Motion, by leave, *withdrawn*.

Mr. LEVESON-GOWER wished to call the attention of the Committee, for two or three minutes, to the highly important question of cookery.

Mr. PARNELL rose to Order. He wished to know whether the hon. Member was in Order in introducing the subject of cookery on a Vote dealing with Scotch Education?

The CHAIRMAN understood that the question of cookery entered into the Vote now before the Committee with respect to some alteration in the Education Code.

Mr. LEVESON-GOWER suggested that the noble Lord should make some alteration in the Syllabus, so far as the subject of cookery was concerned. Two things were necessary with reference to this grant on the part of the children. First, a knowledge of the composition of food; and, secondly, a knowledge of its preparation. He quite agreed that the instructors of the children should have this knowledge, and care should be taken that they had it; but he could not understand that it was equally necessary to children of 12 or 13 years of age. Their object was to get the children to understand the necessity of providing, in future, cheap, economical, and good food for their families. He was quite certain that there was no step which could be taken that would make education more popular than that of requiring a knowledge of cookery. It had been said that it would be hard upon the instructors to require that they should be examined in cookery. But he (Mr. Leveson-Gower) would suggest that a perfectly sufficient test of the practical knowledge of children might be obtained by asking questions. He thought the English people, when the excellent food at their disposal was considered, might become one of the best fed, instead of the worst fed, people in the world.

Lord GEORGE HAMILTON recognized the importance of affording instruction in every branch of domestic economy. In framing the Syllabus, reference had been made to various modes of cooking food, and that which had appeared the simplest had been selected. He should be glad to take advantage of the practical knowledge of the hon. Member for Bodmin (Mr. Leveson-Gower), in order to arrive at the best way of making children acquainted with a knowledge of cookery. The hon. Member for Falkirk (Mr. Ramsay) made a just complaint about the delay in the publication of the Code, which was due to the consideration of the very point he had alluded to, for there were some rather startling Returns as to the effect of enforcing the provisions as to space in all cases, and all that was asked was that there should be a discretionary power of relaxation under exceptional circumstances. He was under the impression that the Code was liable to objection for 40 days after it had been issued.

Sir GEORGE CAMPBELL said, that he was well aware that the noble Lord had many public duties, which he performed with very great devotion and ability, and he should be sorry to lay any additional burden upon him; but, really, now the Scotch Education Board had been abolished, he was quite sure that the noble Lord would recognize that Scotch education was fully as important, and required as much attention, as English education. In introducing the Education Estimates, the noble Lord had expatiated at some length on education in England; but he said not a word about the condition of Scotch education. He was a little jealous that the Scotch Education Vote should be passed over without an expression of the sympathy which he was sure that the noble Lord felt for it. He would call his attention to one important part of the matter. He had told them—and it was a piece of information exceedingly agreeable to the House—that education in England was so rapidly progressing that he had proposed the Estimates upon the calculation that the number of elementary schools would be increased 9 per cent. He (Sir George Campbell) was somewhat surprised that the number of scholars in

Scotland had not only not increased, but had somewhat diminished. The total number of scholars in Scotland had decreased from 396,000 to 394,000; there being a decrease of 4,000 in the number of scholars attending the evening schools, but an increase of 2,000 in the day schools—he was referring to the figures at the bottom of page 227. He should like the noble Lord to inform them the reason for this, as it seemed to suggest that education in Scotland had reached its maximum, and was not now increasing. He was aware that it might be said that there was less room for improvement in Scotland than in England; but he knew by experience that the population in important places in Scotland was increasing. His own borough of Kirkcaldy was a model borough, and the number of scholars in the elementary schools was increasing there. They were now building two schools, and the Provost of Kirkcaldy, who was then in London, thought they would then obtain additional accommodation for 200 scholars. There had, however, been a falling off in the Highlands and the Isles which counteracted the advance in larger places. He hoped that the noble Lord would give them some information as to the small increase in the number of day scholars, as there was a very considerable decrease in the number of the night scholars.

Mr. RAMSAY rose for the purpose of saying that the noble Lord was somewhat mistaken as to the effect of laying accounts upon the Table in dummy. His impression was, that so soon as accounts were entered upon the Votes as having been laid upon the Table of the House time would begin to run. If he were correct in his opinion, therefore, he thought the noble Lord would find that after the expiry of 40 days—and 40 days had expired after the account was laid on the Table before the Vote was circulated—no Representative would have an opportunity of making any suggestion or amendment on the account. He hoped, therefore, if he were correct as to the legal effect of the account being entered in the Votes, and if, after having been laid upon the Table of the House for 40 days, no Amendment could be proposed, that, in future, that course would not be adopted.

Mr. MACDONALD expressed the astonishment with which he had heard the hon. Gentleman's (Sir George Campbell's) statement of what was going on in his own burgh. If there had been a great increase in the number of scholars this year, either at Kirkcaldy or anywhere else, it could only arise from the fact that the school board had neglected its duty before. He (Mr. Macdonald) was himself a member of one of the first school boards in Scotland, so far as efficiency was concerned. According to the Report of Mr. Smith, the Inspector, the school board for the parish of Cambusnethan, in the County of Lanark, the moment that school board came into existence a census of the parish was taken, and a list of all the uneducated children obtained, and schools were provided for them as soon as possible. The parish had now a set of schools which, he believed, were the best in Scotland; and if a child were absent for two days the school board officer went to his house to learn the cause of absence. There was no possibility of a sudden increase in the number of the children; and if there had been any diminution in the attendance it was simply owing to the number of people in the parish having decreased. He regretted to hear any hon. Member rise in his place and tell them that there ought to be an increase in the number of children at school, for, if that were the case, the school boards in Scotland had not done their duty.

Lord GEORGE HAMILTON remarked, that the very slight increase in the number of children attending the day schools in Scotland was owing to the reason given by the hon. Member for Stafford (Mr. Macdonald)—namely, that most of the children were at present attending school. The proportion of uneducated children in Scotland was very much smaller than in England. There was a diminution in the attendance at night schools in Scotland, and his attention had been called to the fact before. He was informed that it was, in a great measure, owing to the severity of the weather, and also to the fact that a considerable number of people were out of employment. Strange as it might seem, the like fact accounted for the attendance at the day schools being somewhat increased.

Original Question put, and *agreed to.*

(3.) £12,771, to complete the sum for the National Gallery, *agreed to.*

(4.) £1,710, to complete the sum for the National Portrait Gallery, *agreed to.*

(5.) £11,050, to complete the sum for Learned Societies and Scientific Investigation, *agreed to.*

(6.) £8,076, to complete the sum for the London University, *agreed to.*

(7.) £3,000, to complete the sum for Deep Sea Exploring Expedition (Report).

MR. BRISTOWE wished to have some explanation with regard to an item in that account, for the travelling expenses of certain foreigners to England. He did not understand why the expenses of foreign naturalists, wishing to visit their English collections, should be paid by this country. It was a curious thing that they should be asked to vote money for certain foreigners coming to visit their collections. Of course, there might be a reason for it, and it might be that their own naturalists were unable to do without them.

SIR HENRY SELWIN-IBBETSON said, that the savants were scattered in all parts of the world, and it was thought desirable to obtain as much information as possible from naturalists who had special knowledge on any particular subject of real interest. The difficulty was how to get those persons together; and it was thought that the quickest and least expensive way would be to pay the travelling expenses of the foreign naturalists to England. If the hon. and learned Gentleman wished, he would give him some further account of the matter.

MR. LYON PLAYFAIR remarked, that the hon. Baronet the Secretary to the Treasury had given the correct explanation of the matter. Some naturalists had special knowledge on one subject, and some on another; and it was found that the cheapest way to get them into consultation was to pay their travelling expenses.

MR. BRISTOWE expressed himself satisfied with the information that had been given.

Vote *agreed to.*

(8.) £1,500, to complete the sum for the National Gallery, &c. Scotland, *agreed to.*

(9.) £443,029, to complete the sum for Public Education, Ireland.

MR. GRAY complained that the salaries of the national teachers were not paid until they were long overdue. There was no reason why they should not be paid immediately they fell due. It would be perfectly easy to get the money ready before the salaries were due, and let the teachers have it directly the money was due. It was of very serious importance indeed to the teachers, who very often had to borrow money through not receiving their salaries at the proper time.

SIR HENRY SELWIN-IBBETSON promised that the matter should receive the attention of the Treasury. No doubt, when the salaries were not paid at the time they were due it caused great hardship to persons whose resources were not very ample. The subject should be taken notice of, and he would endeavour to rectify it.

MR. GRAY was exceedingly obliged to the hon. Baronet the Secretary to the Treasury for the assurance he had given. There was another matter upon the Vote to which he wished to draw attention. In the English Vote considerable sums were paid on account of denominational training schools for teachers. The hon. Member for Roscommon (the O'Conor Don) brought the question forward as to making the like allowance in Ireland, and the answer given by the right hon. Gentleman the Chief Secretary did not strike him as being sufficient. He simply said that the Government was going to do something for the national school teachers; were going to improve their position—as it afterwards appeared—by providing pensions for them; but it did not seem to strike him that that had nothing to do with providing a suitable training for the teachers. In England aid was granted for training denominational school teachers, and those who desired it could avail themselves of other means. In Dublin there was a denominational training school for Catholics, and a grant might be made to that Institution. Of course, he could not expect that the subject should be dealt with at once; but he thought that, in all fairness, it ought to be considered by the Government on a future occasion.

MAJOR NOLAN observed, that the right hon. Gentleman the Chief Secretary had made a distinct promise to improve the position of the national school teachers, and also that a change should be made in their salaries. He had announced an improvement in the salaries of the teachers; and he thought an assurance should be given that grants should be made in the direction asked by the hon. Member for Tipperary.

Mr. J. LOWTHER said, that with regard to the question raised by the hon. Member for Tipperary, it might be within his recollection that a considerable discussion took place upon the matter upon the Motion of the hon. Member for Roscommon. On that occasion he stated that the subject was one which required to be dealt with, but that he considered it would be impossible to deal with it during the present Session. He might observe that by the School Teachers Education Bill an addition to the fixed salaries of the teachers was being made. It had been pointed out, however, that the teachers in all their memorials and resolutions had requested that an addition to their remuneration should take the form of fixed salaries, and not in the shape of result fees. He thought that it would be found that the system of result fees would press unfairly on teachers in sparsely-populated districts. The proposal of the Government, accordingly, was that an addition should be made to the fixed salaries. The Estimate, on account of the additional salaries, would not appear in the ordinary Estimates, but would be dealt with by a Supplementary Estimate, to be moved next February. The alteration would take effect from the 1st of January, from which date the teachers would receive the increased salary. It was proposed that on the 1st of January the new system should come into force, and that an addition should be made at the rate of 16 per cent on the salaries of the third class of teachers, at 15 per cent on the second class, and 20 per cent on the salaries of the first class teachers. He thought that was a liberal addition to make to the amount now paid to the teachers, and it would constitute something like £40,000 addition to the Estimates. The principal object which the Government had in view, and which he hoped would be obtained by the school teachers, was to grant the request of the teachers by making a substantial addition to their salaries, and thus doing away with the agitation. The agitation had caused very serious injury to education, and it was an unmixed evil in other respects; and he hoped they would now see an end to it.

Mr. O'SHAUGHNESSY wished to call attention to the system of agricultural teaching in the schools in Ireland. Formerly, fixed salaries were given to the school teachers in respect of the instruction they gave in this matter, in addition to their remuneration for their other duties. Sometimes they received from £5 to £10 per year on that account, and, small as those salaries were, they were all-important to men whose remuneration was not great. Moreover, the salaries were of importance to these poor men in calculating their pensions when they wished to retire. In 1876 a change was made, and, instead of giving fixed salaries in respect of that teaching, the teachers were paid by result fees; the consequence was that some men profited largely; whereas other men, who had held office since 1847 or 1848, lost a good deal of money. These men had served faithfully, and discharged their duties well; and it was not fair that the fixed salaries which they had been accustomed to receive for the work done should be changed into result fees. In 1871, the total amount paid in respect of result fees was £457. If a man had continued to be paid a fixed salary, the cost to the country would only have been £680 in the year. He did not think it was fair thus suddenly to change the fixed salaries paid into result fees; and he hoped that the right hon. Gentleman would look into the matter, and place the men in the position that they held before. There was another topic which he thought required to be treated with a strong hand, and that was the question of the supply of books and apparatus to the national schools in Ireland. In England the books and apparatus were supplied to the schools by the trade, and was open to public competition. There was such freedom in the matter in England that there was not even a recommendation of books by the Department. But in Ireland the Department printed, published, and sold books that were to be used in schools, and permitted no others to be used. That was a very evil system, both commercially and in its effects upon education. The result of the system was to cost the country a sum of £4,500 a-year dead loss. Many of the books which were issued for the use of the schools were very unsuitable and uninteresting, and it would be much better if the same system were adopted as in England. They complained that the present system prevented free competition by the trade in Ireland, and prevented the teachers from using their judgment as to the books to be used. It was particularly hard on the trade in Ireland that the State should undertake the duty of supplying those books. The system was not, as far as he knew, pursued in any other country. When the national system was first introduced it was surrounded with difficulties, and it was necessary to produce a set of books perfectly colourless, which would be alike suitable to Protestant, Catholic, and Presbyterian. But that state of things had changed, and, to a large extent, passed away; and he did not think that there was any pretence for saying that if a free choice were allowed of any books they would be of a sectarian character; they would be perfectly satisfied to allow the National Board to have a right of veto upon the books to be used. Subject to that restriction, he thought that the teachers should have the same freedom of choice in regard to books as was enjoyed in England. He did not press for immediate action on the matter; but he did trust that the Government would remedy the evil at the earliest opportunity. With regard to the agricultural teachers, who were a most deserving body of men, he would strongly urge their claims upon the Government.

Mr. CHARLES LEWIS did not think he would be justified in allowing the discussion to pass without acknowledging, on the part of those in whom he felt so strong an interest—the national school teachers of Ireland—the benefits which the Government had conferred upon them. He had not hesitated, in previous Sessions, to express his opinion upon the manner in which those deserving officers of the State had been treated by both sides of the House in former times. He had invariably maintained that it was the duty of the State, in respect of national education in Ireland, to provide such salaries for the teachers as would enable them to pay their way, and to hold themselves up as respectable members of society. He had always been of opinion that the system of payment by result fees was not so good as payment of a standing salary, adequate to the duties which the teachers had to perform. Therefore, he thought that the proposal which had now been made was only just and proper; and that it was a due recognition of what had been done by the national school teachers, whom he thought were deserving of the support of both sides of the House. In his opinion, it was a very much needed reform. The announcement which had been made that day, of the improvement to be made in the standing salaries of the national school teachers of Ireland, would be welcomed as a long delayed but much needed act of justice. On behalf of hon. Members on that side of the House, who had urged the case of the national school teachers, he begged to acknowledge the concession which the Government had made.

Mr. C. S. PARKER wished to know whether it was intended to make the proposed addition to the salaries of the national school teachers by Supplementary Estimates that year? The right hon. Gentleman had made an important announcement unexpectedly, and to a thin House, although he had intimated some time ago the intention of the Government to do something in the matter. He thought that the proposal would require some discussion before the extra sums required could be voted. Several important questions would have to be met. For instance, they would have to consider whether a higher standard of attainment should not now be exacted from the teachers of the national schools? Then, as regarded the question of local contribution. He did not wish, as a Scotch Member, to insist upon that point; but he did think that it was a matter which would require some investigation. He did not understand, however, that the proposal would be made in any Estimates in that Session, but that the increased grant would be proposed next year.

Mr. J. LOWTHER said, that what was proposed to be done was to introduce a Supplementary Estimate, in accordance with the usual practice, next Session. The increase in the salaries for school teachers would take effect from the 1st of January next; and it would not be in accordance with the usual practice to introduce a Supplementary Estimate before the quarter of the year that had to be provided for. In respect of the suddenness of the announcement, he might say that he had very clearly stated, on a previous occasion, that the Government had decided to propose some addition to the salaries of the school teachers by Supplementary Estimate. As regarded the agricultural Inspectors, he confessed that he did not think any injustice had been done them. If they had been deprived of any sum of money which they might have expected to receive, they would come within the category of vested interests, and their case would then deserve to be inquired into. He did not think, however, that any injury had been done them. With regard to the other subjects that had been mentioned, he might say that they were receiving the careful attention of the Government.

Mr. RAMSAY did not think that some of the remarks of the hon. and learned Member for Limerick (Mr. O'Shaughnessy), with reference to the Irish school books, were altogether correct. From his own experience, he must say that he knew many cases in which Irish school books had been selected by Scotch school boards as the best school books to use. He thought that it was some justification of the mode in which those books had been selected that they should be so satisfactory to the people of Scotland. He wished to draw attention to the necessity of making the localities in Ireland contribute to the expenses of education. In Scotland they had to contribute for their schools; and it should be remembered that the expenditure was forced upon the people of Scotland by the Education Acts. They were compelled in Scotland to provide school accommodation to a greater extent than they had been accustomed to. He thought it would be found, if the amounts granted to the three Kingdoms were compared, that Scotland obtained very much less from the Imperial Treasury than any part of the United Kingdom.

Major NOLAN thought that the present Government had treated Scotland very well. He had not gone into the figures, so as to make a calculation as to how much was contributed per head of the population; but he thought that it would be found that Scotland got very much more per head than Ireland. Roughly speaking, he thought it would be found that the people of Scotland received 2*s*. 10*d*. per head; whereas in Ireland only 2*s*. 5½*d*. was contributed from the Imperial Exchequer, and thus Scotland was much better treated than Ireland. The amount contributed to Scotland had increased very much since the present Government came into power. He thought that both Scotland and Ireland ought to get more per head of the population than England. It should be remembered that in England it was very much easier to educate the children, where there were vast centres of population; while in Scotland and Ireland, owing to its being less thickly populated, a greater expense per head was caused. With respect to the announcement which had been made by the right hon. Gentleman the Chief Secretary, he considered that the salaries of the national school teachers required increasing, for at present Irish teachers were only paid about £55 a-year; whereas teachers in England and Scotland obtained about £100 a-year. The increase, therefore, had been very much wanted. He should like to know what the right hon. Gentleman the Chief Secretary intended to do in the cases of those schools where the teachers were not paid salaries? There was a class of schools in Ireland where the teachers were paid only by result fees—the scale, he believed, being £20 per 100 pupils. The result of that was to give much about the same remuneration as was paid to the salaried teachers. The increase which had been made to the salaries of the teachers was very proper; and he really thought that it reflected credit upon those who had induced the Government to grant it. He could have wished, however, that one or two other things had been done by the Government. In those schools where the teachers were now paid entirely by result fees the increase might be given them, either by paying them at a higher rate—for instance, increasing the result fees by 50 per cent—or by making the teachers some fixed allowance. He thought that if the increase were made in the shape of salary there would be some little jealousy; for some effort was made to keep up the relative proportion between the salaried schools and the unsalaried schools. He thought that the best plan would be to raise the result fees in the case of the schools he had mentioned. In his opinion, the education given in the schools in which result fees were paid was as good, and, in many cases, was much better, than was given in the salaried schools. He hoped that the right hon. Gentleman the Chief Secretary would take the case of these schools into his consideration, and so be able, either to raise the result fees, or to grant a fixed allowance. He thought their congratulations were due to the Government for the proposal they had made.

COLONEL COLTHURST supported the appeal of the hon. and gallant Member for Galway, as to the necessity of giving a fixed allowance to the schools in Ireland in which result fees were paid to the teachers. In his opinion, they were some of the best schools in Ireland. There was much more freedom in those schools than there was in other schools. He thought the attention of the Government should be directed to seeing that justice was done in the case of those schools where fixed salaries could not be given. Either the result fees might be raised, or a fixed allowance might be paid. With respect to school books, he saw no reason why the English system should not be introduced into Ireland. In England, subject to the veto of the Education Department, school managers made use of any books they pleased. In Ireland they could only use those which were issued by the Department; and he considered that was a most objectionable system. He hoped the right hon. Gentleman would take it into his consideration, with a view to its alteration.

SIR GEORGE CAMPBELL wished to make a remark or two with reference to the announcement made by the right hon. Gentleman the Chief Secretary. As he understood it, the new arrangement would come into effect on the 1st of January next, before the House had had any opportunity of discussing the subject, or giving any opinion with regard to it. He understood that in February the Government would then ask the House to sanction the system which they had brought into operation. They would thus be giving additional assistance to national education in Ireland, without first obtaining the sanction of the House. The total expenditure upon education in Ireland was very large at present. He should like to know if the Government, in deciding to grant that additional amount from the National Exchequer, had in any way made it conditional on the contributions from the localities being raised? In his view, it would not be right for the House to vote for the purpose of increasing the grant for elementary education in Ireland, unless that Vote were supplemented by local contributions. It was a most dangerous course to increase the grant from the central Treasury without requiring some local contribution; and it seemed to him that it was a most dangerous course, and a reversal of the policy that had hitherto been pursued by the House and by successive Governments. Some time ago, an Act was passed to remedy an acknowledged defect in Ireland, and to enable the different localities to supplement the salaries of their national school teachers. He should be extremely glad if they had been told that the localities were going to take advantage of that provision; and it was thought well that Parliament should meet them in a liberal spirit by increasing the grant. He had hoped the policy hitherto pursued would not be departed from in the present instance, and that the Government would not make the grant without the addition he had mentioned. It was apparent that there was becoming, more and more, a *rapprochement* between the Government and hon. Members below the Gangway on the Opposition side of the House; and that concession had been made to their demands which had not hitherto been granted by any previous Government. He would ask the right hon. Gentleman to state distinctly whether it was intended that the additional grant should be given on condition of the contributions from the localities being raised?

MR. J. LOWTHER said, these international disputes did not conduce to the despatch of Business; and, without entering into the wants and peculiarities of Ireland and Scotland, he thought it would be better to leave such a discussion to be treated next Session during the dinner hour. But the hon. Gentleman (Sir George Campbell) had made rather an extraordinary statement. He said—"The announcement with respect to teachers' salaries was altogether unexpected;" but hon. Members would recollect it had been shadowed forth in reply to Questions; and, further, the statement had been made the other day on introducing the School Teachers' Bill. But the hon. Baronet went on to accuse the Government of a departure from recognized principles, and he spoke of it as being prompted by a desire for a *rapprochement* between the Irish Members and the Government. Well, he was glad to find that there was an agreement between Her Majesty's Government and hon. Members in other parts of the House; and being charged with the duty of representing the Government of Ireland, he was especially glad that the policy of the Government with respect to Ireland met with the approval of the Irish Members. But the hon. Member said the Government were going back from the invariable policy which had been observed in regard to education, and a Bill had been referred to which, a few Sessions ago, imposed a charge on the Unions. That was a new departure —not this they were now making. It was the invariable policy with regard to Irish education to separate it from the national funds. The hon. Member might disagree with that policy or not; but he could not charge Her Majesty's Government with inaugurating a policy designed to catch support from a particular portion of the House. They had simply adhered to the practice which, with the slight exception he had alluded to, had always governed these matters. With regard to schools supported by capitation grants, this addition to the school teachers' salaries was founded on demands put forward by the teachers and those who represented them in the House and elsewhere; it had nothing to do with an increase of grants. The proposal was intended to meet a distinctly expressed want on the part of the teachers; and if the hon. and gallant Gentleman (Major Nolan) had any other claims to urge they would be made the subject of inquiry.

Mr. GRAY said, the noble Lord (Lord George Hamilton) had mentioned, in connection with the Vote for Public Education in Scotland, that steps had been taken to provide for instruction in cookery. He did not know what steps had been taken in that direction with respect to Ireland; but there was no other country which needed instruction in that branch more. He, therefore, asked if the Chief Secretary for Ireland would state what steps had been taken to further that instruction in Ireland, which would render the schools both popular and useful?

Mr. J. LOWTHER promised that the subject should be considered in connection with the system of national education in Ireland. He recognized the importance of the instruction, as a means of enabling females in Ireland to discharge their domestic duties.

Vote *agreed to.*

(10.) £2,806,825, to complete the sum for the Post Office.

Mr. GRAY rose to call attention to a subject in connection with the Post Office Savings' Banks to which he had alluded on a former occasion. Under the Post Office Savings' Bank Act of 1863, Clause 38, a provision existed by which the entire deposits of any depositor were absolutely forfeited for the reduction of the National Debt if he opened more than one account. A person named Kelly opened two accounts, and deposited a sum of about £100; he died, and application was made by his executors for the money; they were informed that it was confiscated; they then appealed to the Treasury, and were again informed that the money was confiscated. It must be remembered that those who used these Post Office Savings' Banks were the poorest and, presumably, the most ignorant of the people. No doubt, in the case referred to, the provision of the Act had been violated, and that the deposits were liable to forfeiture. No doubt, also, notice was given to depositors, and he was aware that they had also to sign a declaration, although that form of declaration was very vague. But when it was considered from what class of people these Post Office Savings Banks' deposits were chiefly drawn, it did not come to be a matter of very great wonder that an occasional endeavour should be made to get the benefit of opening a second account. That offence, he thought, was not a very heinous one; and although it might be characterized as a fraud, it was fraud of a legal, and not of a moral kind. It did not defraud the Department of the Post Office, and it did not certainly defraud the public, or any individual. No doubt, it was an offence, and it ought to be punished with a small penalty; but to confiscate the entire of a man's savings for that reason was, he thought, straining the punishment, and making it quite disproportioned to the offence. He did not want to go into the case of this man Kelly again; but he appealed to the noble Lord at the head of the Department, and to the hon. Gentleman the Secretary to the Treasury, to consider whether this regulation was not a little too hard, and did not fall too heavily upon the poorer classes? He trusted that they would take the matter into their favourable consideration, with a view to effecting some modification of this rule, which he considered to work a very considerable injustice. He also asked the noble Lord whether he would object to grant a Return of the amounts of money which had been confiscated since the Post Office Savings Bank Act came in force? He could not but think, if it once became public that a large amount of money was confiscated by the Department owing to the breach of some technical rule, that the poorer and most ignorant, and, therefore, the most defenceless class, would be frightened away from the Banks, and would put their money in some more secure investment. He thought the Government would see that the punishment was quite disproportioned to the offence. There was another matter to which he wished to refer. The hon. Member for Liskeard (Mr. Courtney), he believed, had, on a former occasion, mentioned that there was too much red tape and officialism about the Department in connection with the rules relating to life assurance. The hon. Member stated that every transaction with the Post Office Savings Bank involved an expenditure of 8*d*. There was no conceivable reason why this should be the case; and he concluded either that the accounts must be weighted with an undue proportion of charge, or else there must be something wrong in the system. Every Assurance Company in the United Kingdom issued to the assured notice of when the premium became due, which involved the cost of stamp and stationery. But it appeared that the Department made no use of stamps, and gave no notice to the poor and ignorant people who insured their lives as to when the payment became due. He knew, from his own experience, how necessary it was to get this notice. The result of the system of the Department must be that a large number of assurers would forget when the date of payment came round. He did not know whether the Post Office had the system which prevailed amongst other offices of levying a small fine, or submitting the assurer to a second medical examination in the case of a lapsed premium; but, surely, it would cost nothing to the Department, beyond the cost of the paper of a post card, to issue notices to the assurers, because although the Department might be debited with stamps they would go into another branch of the Revenue. The matter was certainly one for the consideration of the Department, for they were bound to remember that they were dealing with a poor and ignorant class of people, and that, therefore, they ought to give them every facility for understanding the conditions upon which their lives were assured.

Mr. O'CLERY was also acquainted with the case of a very poor man in the County of Wexford who had about £180, the savings of his whole life, and who, through sheer ignorance, had allowed his money to be placed in the same bank in different names. In this case the man went straight to the postmaster of the place and acquainted him with the fact. No relief could be obtained in this case on the ground that, 18 months having elapsed, the money had been transferred. He believed that there were only two means by which it could be refunded, either by the Treasury placing the sum upon the Estimates of next year, or by the introduction of a Private Bill. The latter course it was almost impossible to adopt; and he, therefore, thought it better to leave the matter to the hon. Baronet the Secretary to the Treasury. He trusted the hon. Gentleman would consider the case of this poor man, with a view to its mitigation. No injury had been done to the Department, and the irregularity might, in his opinion, be met by a small fine. The poor man who had been kept so long out of his money could neither read or write.

Lord JOHN MANNERS said, he would have great pleasure in granting the Return asked for by the hon. Member for Tipperary (Mr. Gray), for he believed it would be of benefit. With respect to the cases mentioned, he need only point out that the regulation referred to was one established by law, over which the Department had no manner of control. Of course, it might be a question as to whether the law, as it stood, was not too stringent, and it might very fairly be considered during the Recess whether the law should not be looked into and the matter referred to next Session. It was not only the Post Office Savings Banks to which this provision applied; the original Trustees Savings Banks were regulated in the same way, with the only difference that, in the latter case, a barrister was appointed to decide whether the multiform deposit was made with a fraudulent intention. In the case of the Post Office Savings Banks the Treasury had to decide upon the point; but, in both cases, the words in the clause were "fraudulent intention." He trusted that hon. Members would see that the Government had only acted in accordance with the law under which the Post Office Savings Banks were carried on. With respect to the suggestion of the hon. Member for Tipperary concerning the notices in the case of life assurances, he would take care that this subject should receive due consideration during the Recess.

Vote *agreed to.*

ARMY ESTIMATES.

(11.) Motion made, and Question proposed,

> "That a sum, not exceeding £203,000, be granted to Her Majesty, to defray the Charge for the Pay, Allowances, &c. of a number of Army Reserve First Class, not exceeding 22,000, and of the Army Reserve Second Class, which will come in course of payment during the year ending on the 31st day of March 1880."

Major O'BEIRNE thought hon. Members present were scarcely prepared to enter into the consideration of the Army Estimates. He had some remarks to make upon the subject of the Military Schools, and had got up some information with reference thereto which he doubted not would be very much to the point; but he objected to the Vote being taken at that hour, when the several points of importance which arose upon it could not be adequately discussed. He, therefore, moved that Progress be reported.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Major O'Beirne.*)

Lord John Manners

Colonel LOYD LINDSAY hoped that the Government would be allowed to proceed with this Vote. The Army Votes to be considered were upon the Paper, and he did not think any hon. Member could complain that this proposal had taken them unawares.

Mr. PARNELL thought that the Government should not take the Army Estimates at that time. Practically speaking, there was only time for the Committee to wind up its Business. There were three important questions upon Report which would take all the time up to 6 o'clock to discuss. The Chancellor of the Exchequer had stated that he would not sit later than 6 o'clock; and if the Army Estimates were proceeded with it would be, practically, impossible to make any progress. He and his hon. Friends had all come down there for the purpose of discussing certain questions on Report, to which he thought they ought now to proceed.

Colonel ARBUTHNOT said, that the hour was not one at which he liked the Army Votes to be brought forward; but he would remind hon. Members opposite that they were, perhaps, as responsible as any other Members for their being brought forward at that time. The Business had been inconveniently delayed, and the result was that the Votes had been brought on at an inconvenient time. However, he did not think it mattered much whether they were taken then or some days hence. He hoped the hon. and gallant Member for Leitrim (Major O'Beirne) would withdraw his Motion.

Major O'BEIRNE regretted his inability to withdraw his Motion.

The CHANCELLOR of the EXCHEQUER hoped the hon. and gallant Member would allow the Committee to proceed with the Army Votes.

Question put.

The Committee *divided:*—Ayes 8; Noes 85: Majority 77.—(Div. List, No. 203.)

Original Question again proposed.

Mr. PARNELL begged to move that the Chairman do now leave the Chair. He did not think the Government were treating them fairly in this matter. The Chancellor of the Exchequer had told the House on the previous day that he did not want to sit longer than 6 o'clock.

There were two Reports of Supply down on the Paper, and there were two or three very important questions involved in those Reports, and it would take until 6 o'clock to finish the discussion which would arise upon them. If they continued the discussion on the Estimates, they could not possibly take Report that evening without exceeding the time named by the Chancellor of the Exchequer. It was very unfair that Members should be invited to come down to the House, in order to discuss the Report of Supply, and that they should be kept until after the time arranged. He hoped Government would agree to report Progress, and he would then withdraw his Motion.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Parnell.*)

THE CHANCELLOR OF THE EXCHEQUER was sorry it was impossible to oblige everybody. The Government were extremely anxious to get on with Supply, and he thought the hon. Member for Meath must see that they had been anxious that day to make an arrangement, as far as possible, to meet the convenience of hon. Members. He could not undertake, at the present time, to stop Supply, and he was afraid it might be difficult to reach the Report of Supply before 6 o'clock. But they were, of course, not bound to that time to a minute, and it was only arranged that they should not sit for more than a short time after it.

MR. PARNELL wished to remind the Committee how matters stood. He had had a Notice on the Paper which he was anxious to move; but which, being connected with the same question of Report of Supply, he had not moved, upon the understanding that he was to have an opportunity of discussion on Report of Supply. He and his hon. Friends had been waiting all day long, only to find that they could not discuss it that evening. The promise given by the Secretary to the Treasury, that he would endeavour to put Report on the Paper at such an hour that it could be discussed, was, as all hon. Members must be aware, a very vague kind of promise, considering the period of the Session, and would, in all probability, come to nothing. He admitted that the hon. Baronet had done everything possible to enable them to discuss the question; but if Supply came on that day they would have no opportunity of making their Motions, and would, therefore, be left to an undefined probability of discussion. The Government, in all probability, would be compelled to take the Report of Supply at an hour when it would be impossible to discuss it; and he thought it would have been much better that morning not to have given way to the Government, in which case they would have got no Supply at all.

MR. RYLANDS wished to make a remark as an English Member. While he was always ready to assist his Irish Friends in their legitimate demands, he was bound to say that the exactions which they were then making upon the time of the House could not be granted without interfering very much with other hon. Members. The hon. Member for Meath (Mr. Parnell) complained that he had been in his place expecting the opportunity of making some remarks upon the Report of Supply. His hon. Friend was, of course, entitled to make those remarks, and he was sure that the hon. Baronet the Secretary to the Treasury would give him sufficient opportunity for discussing this deferred Vote of Supply. But he wished to remind the House that the English Members had also come down, at great inconvenience, to discuss a number of Estimates which appeared on the Paper that morning, and to assist the Government in getting through their Business. He did not, personally, make any profession of having a great disposition to assist the Government at any time. But, in the present case, by assisting the Government to get through their Business, they were actually promoting their own convenience, for if they did not do so they would necessarily be kept there some considerable time longer. Of course, he regretted that the House were driven into a corner by Supply. It was most unfortunate that on that particular Saturday they should be dealing with Votes of Supply; but the fact was due to the continual desire, on the part of the Government, to oblige Gentlemen from Ireland, and in consequence the Public Business had been thrown into absolute confusion. He felt almost certain that, at that moment, neither the hon. Baronet nor the hon. Member for Meath could tell which Votes had been carried, and which had been postponed. The South Kensington Vote was postponed at the instance of the Irish Members; and the consequence was that another very important Vote was taken, upon which he (Mr. Rylands) wished to make some observations. The same thing had happened with the Scotch Votes. Hon. Members from Scotland came down in order to take part in the discussion of the Scotch University Vote, and they found that was postponed also, on what he must call the unreasonable application of his hon. Friends from Ireland. He appealed to them to say whether it was reasonable that the convenience of Englishmen and Scotchmen should be entirely sacrificed to that of half-a-dozen Irishmen? He trusted the hon. Member for Meath would not press his Motion.

Question put, and *negatived.*

Original Question again proposed.

Lord ELCHO felt bound to say a few words upon the question of Army Reserve. The War Office Committee, which had been appointed to deal with the whole subject, was, in his opinion, unnecessary, as he believed that the Secretary of State for War, with the information at his disposal at the War Office, had ample opportunity of coming to a decision himself upon the questions involved. The effect of the appointment of the Committee would be to postpone to future years, in the case of the Army Reserve, a decision which might, in his opinion, be come to at once. The questions to be decided were simple, and it required no Committee to tell them that no English youth should be reckoned on the Establishment who had not attained the age of 20 years; or that, in order to obtain good non-commissioned officers, there should be offered the inducements of a pension and higher pay. The Militia was never full, and the Committee, of which the Secretary of State for War had been Chairman, strangely came to the conclusion that because the Militia could not be kept up to the proper strength therefore the strength of the Militia must be reduced. But that was not the way in which the question should be dealt with. The Militia had always been the backbone of our military system, and it ought not to be left in this invertebrate state. It was to the Militia that they must look for an efficient Reserve; and it was for past and present Secretaries of State for War to put their heads together and to see if they could not patriotically come to some decision as to how the Militia could best be filled.

The CHAIRMAN pointed out that the Vote referred to the Army Reserve, and not to the Militia.

Lord ELCHO said, of course, if he was ruled out of Order he should not press the point. He believed it was from the Militia that the Army should derive its Reserve; and, therefore, he thought that his observations upon the Militia were strictly germane to the question before the Committee. Therefore, unless he was again told by the Chairman that he was in error, he would simply add that there was only one way to fill up the Militia—namely, to put in force the ancient Constitutional practice of the country, that every Englishman should be bound, if need be, to give compulsory service at home in the Militia. He wished the Committee not to run away with the idea that he was advocating this for the Army; it was intended for the Militia alone. They must come to this, sooner or later; and any other way of dealing with the matter was but "leather and prunella." His firm conviction was that, appoint a Committee this year or appoint a Committee next year, any other plan was simply beating about the bush.

Colonel MURE wished to say one word only upon the point of the power of the Committee now sitting. It had been said that the Committee were restricted in their power, and the recommendations they were to make were to be limited to such proposals as would not require the interference of Parliament. He believed his statement would be confirmed by the hon. and gallant Gentleman opposite (Colonel Loyd Lindsay), that the powers of that Committee were entirely unrestricted. Their instructions were to take evidence from all parts of the Empire on everything connected with the Militia and the Army, and their powers of Report were entirely and completely unlimited. Having already seen a good deal of that Committee—having been himself before it—his own impression certainly was that it was exceedingly earnest in the work which it had to do. He knew pretty well that a good deal of the evidence given before it had been—he did not wish to use too strong a word—or he would say, of the most distressing nature in regard to the general condition of the Army, and especially of the Infantry of the Line. Next year, when they met again to discuss the Report of that Committee, it would be very curious and instructive to obtain an explanation from the Secretary of State for War, and from the Secretary of State for War who preceded him, also, if possible, from the Inspector Generals of recruiting as to the invariably favourable accounts they had given the country of the Army. [" Order, order! "] He did not mean to say that any one single Gentleman had deceived the House wittingly; but he did say that the assurances of Secretary's of State in the House and Reports from the recruiting officers and other officials had been most misleading, and had led hon. Gentlemen and the public to form an opinion on the state of the Army which was utterly and completely mistaken. Although he deeply regretted the state of things which had been shown to exist by this Zulu War, he would say that those disclosures had one satisfactory side—they had opened the eyes of the country to the condition of the Army.

SIR HENRY HAVELOCK pointed out that there was great inconvenience in discussing a question of this sort when the Secretary of State for War was absent. He did not say that precedents could not be quoted in favour of it; but when a question embracing generally the whole scope of Army matters was under discussion, the presence of the Departmental Minister was almost necessary, in order to explain the position of affairs at the present time. The hon. and gallant Gentleman behind him (Colonel Mure) had said—and he entirely agreed with him—that as the Committee were now engaged in sifting all these questions, it was undesirable that a discussion on the matter should be raised in that House. It would have been more desirable if the hon. and gallant Gentleman, after expressing that opinion, had not taken the opportunity of producing a very strong impression on one side. If it were desirable not to discuss the question at all, it was still more undesirable that the question should be, to a certain extent, forestalled in public opinion by the one-sided arguments used by the hon. and gallant Gentleman and the noble Lord opposite (Lord Elcho). He had also had the honour of being examined as a witness before that Committee. He thought that its general composition was one to give great satisfaction to the country. It was composed, in some respects, of officers who had not had recent experience; but officers of that sort were represented on the Committee, both by officers of the rank of General, who had had great experience, and by two officers now holding commands of battalions, who were, perhaps, as well capable of giving opinion on all that took place as any two men in the Army. He thought the Committee and the public were to be congratulated on having these two officers on the Committee. He did not in the least agree with the noble Lord opposite, or the hon. and gallant Gentleman, as to the result of the deliberations of the Committee as far as they had gone. If the question were raised in that House in another shape, and at another time, he should be prepared to show in detail, and in the presence of the Secretary of State for War, that of all the allegations made as to the causes supposed to operate on the five battalions which left England, in what they might deem to be, in certain respects, an unsatisfactory condition, there was not one which had any bearing, even incidentally, on the system of short service. That service, no doubt, was co-incident in point of time with these defects; but they were not caused by short service. They could not be traced to short service, and short service was not in any way responsible for them. He would undertake to say that when that Committee had closed its proceedings there would not be made, in any one material respect, any considerable change in the lines on which the Secretary of State for War had been working for the last six years, following in the steps of his Predecessors. Neither as regarded the main features and principles of short service, nor as regarded the main features and principles of localization, would there be any essential change, when this question—the most important of any that could be referred to a Committee—had been thoroughly sifted and examined. His object in stating this was to correct an impression which might result, if what had been said by the hon. and gallant Gentleman should be allowed to go forth to the country as to what was the tendency of the Committee, or what had been their proceedings up to the present time. He believed the special Vote at present before the Committee was the Reserve Vote; and, if he had had time, he should have liked to have said a few words to the Committee in regard to the Reserve. It would, however, be in the recollection of those who had paid attention to the matter in the last six years that one of the points brought before that House in 1865, 1866, and 1867, had been the unnecessary, and, as it appeared to him, the unwise, limitation of the Militia Reserve. It had been shown repeatedly, and expressly in the mobilization of last year, to be a most effective Reserve, both in point of numbers and in individual composition. He did trust, then, that one of the results of the Committee now sitting would be that the Militia Reserve would be appreciated on its right merits; that it would be extended in the way its friends would have desired; and that they would have its value as a Reserve, on all occasions when a sudden expansion of the Army became necessary, fully recognized. He did not see why, if considerable inducements were offered to the men — of which they had already shown themselves most anxious to avail themselves —the Militia Reserve should not soon be put in a position into which he and others had long tried to bring it, by which it would draw to the ranks of the Regular Army, in time of emergency, almost two-thirds of the effective force of the Militia. He believed that was a modification of the present system which might be very well carried out. The practical steps by which it might be obtained had been repeatedly explained, and it only remained for this Committee to give their practical effect and force. His real object in rising was to correct the impression which, he feared, was prevalent—that the short-service system had proved a complete failure, and that it had left them, practically, without an Army. The hon. and gallant Gentleman behind him (Colonel Mure) was a great enunciator of that idea; and he could not permit it to gain ground, at the eve of the Recess, without stating that not one of the defects pointed out in the battalions sent to the Cape was traceable in any way to the system of short service; but that every one of them—individually, severally, and collectively—was to be traced, and he had traced them, to practical defects in the administration of the system by those who, at present, sat on the Government Benches. In charging the officials, however, with such administration, he did not intend to allege anything more than that they had made mistakes. He believed the Secretary of State for War was most loyally anxious to carry out the system introduced by those who preceded him. There was no doubt, however, that an opinion prevailed among certain persons, in certain circles which had superficially examined the question, that the system had failed at a most serious juncture. Those who alleged that should recollect, to begin with, that during the last 12 months they had succeeded in carrying on two great wars on an entirely peace establishment. When it was alleged that battalions were sent out with from 360 to 370 men, it ought to be remembered that that was due not at all to the system, but to the acts of Her Majesty's Government. If they thought fit to send out 15 battalions of 800 men each, and, therefore, to reduce the Army by 12,000 men, they ought, then, to have come to the House and asked for additional men to keep up the Force. These faults, then, which were charged to the system, were really due to the act of the Government, and that was the whole foundation on which this alarming superstructure had been built, a superstructure for which there was no reason at all. On the other hand, there certainly were radical defects in our system which had been successfully pointed out every year; but they might have equally occurred with a system of long service, and he believed that our military system had never been in a more vigorous state than it was now. It must be remembered, however, that in order to make it successful they must carry it out thoroughly; and, for his part, he believed that it was absolutely necessary to begin with a large proportion of all the recruits of the age of 20 or 21. His contention was, they could not work a system of that kind without doing that.

Lord ELCHO begged to explain that his hon. and gallant Friend (Sir Henry

Havelock) entirely misunderstood him if he supposed that it was his intention to say anything against short service. He never had said a word against it. All that he had mentioned was, that by some means or another, by higher pay, or by pensions, or something of the same kind, they should induce men to remain longer in the Army than was possible under the short service system, in order to keep those men as non-commissioned officers.

COLONEL MURE said, with regard to the remarks made by the hon. and gallant Gentleman near him (Sir Henry Havelock), he believed it was possible to have a system of short service and a Reserve; but his contention was that it was not possible, with the class from which they recruited, to have efficient regiments on the six years' system. When Lord Cardwell's system was introduced it seemed to have been entirely forgotten that even Colonial wars required men of mature age and who were thoroughly disciplined, and that, to have these ready under a six years' system, the total strength must be increased. They were told that, under this short service system, they would offer such inducements to the public that they would get thoroughly efficient recruits; but this prophecy had not been fulfilled. Just before the Zulu War they had 51,000 men in the Infantry at home, and out of that number there were 20,000 men who were under one year's service, and there were 10,000 men over 35 years of age, a large proportion of whom were too old for active service, or claiming their discharge; so that, as a result, they only had the remainder with which to furnish the garrisons of the country, to send re-inforcements to India, and carry on Colonial wars; hence the extreme defection of the regiments at this moment. He was not against the system of service with the Colours, and subsequently going to the Reserve. What he complained of—and he thought it was by far the greatest evil which existed in the Army at the present time—was a gradual slackening of discipline all through it, and a feeling of discontent pervading every branch of the Service. It was not that they did not get good recruits, considering their youth, nor that the number was insufficient—they got 30,000 last year, and of that number 4,600 disappeared, either by purchase or discharge, and they lost 1,700 by desertion. It was this enormous annual disappearance which exhausted the strength and efficiency, in itself a proof of discontent in the ranks. They could not stand such a drain as that with their present number. The discontent showed itself also in the difficulty to persuade the best privates to take the stripes, so that they had inferior men commanding men known to be superior to them. The same feeling pervaded every rank amongst the officers, and it was a corroding evil. Our system was purely à voluntary one, and the officers came from so high a class that they were, of course, loyal, and performed their duties well. Still, if this system went on, discontent would increase and time would show that it was possible to put too great a strain upon the loyalty of our officers, and the result would be either a gradual slackening of the whole conception and standard of discipline and efficiency, or else a disinclination among the superior ranks of society to accept commissions.

COLONEL LOYD LINDSAY hoped he would not be thought wanting in any respect, if he replied very shortly to the interesting speech made by the hon. and gallant Gentleman, for he was bound to say they had diverged somewhat from the subject before the Committee. The hour was late, and the period of the Session was late; and he had, besides, another reason for shortness, that a very influential Committee of General Officers were now engaged in considering these very points. If hon. Members of knowledge and weight on the subject had any desire to place their views before the Committee, either in writing or verbally, he was quite certain they would be most readily listened to, and their views accepted with the greatest deference. That, he thought, would be a sufficient reason for not continuing the discussion any longer. Still, he must notice one or two remarks that had been made by the hon. and gallant Member opposite (Colonel Mure). He had not gone so far as to say that there was a want of discipline or a feeling of discontent pervading the Army—he was sure that was not the meaning he intended to convey.

COLONEL MURE: If the hon. and gallant Gentleman will pardon me, that is absolutely within my meaning.

Colonel LOYD LINDSAY replied, that he could only say, then, that he entirely differed from the hon. and gallant Member. He did not think there was any such feeling in the Army, or that there was any want of discipline shown. The fact that the privates would not take the stripes was not any argument at all. A man was perfectly entitled to remain a private soldier if he chose, and was within his right in doing so.

Colonel MURE said, he had not been understood. He did not complain that any want of discipline was shown in a man refusing the stripes. Nothing so absurd ever entered his mind. What he said was, when especially eligible privates refused the stripes and inferior ones were promoted, the result was that good men were commanded by inferior men, and that could not conduce to discipline.

Mr. RYLANDS rose to Order. It appeared to him that the points raised were not exactly within the Vote for the Reserve, which they were then supposed to be discussing.

The CHAIRMAN said, that he had more than once reminded hon. Members of the point before the Committee, and had endeavoured, ineffectually, to stop a discussion, the whole of which appeared to him considerably out of Order.

Colonel LOYD LINDSAY said, after such a statement from the Chairman he would not follow the point further, and he thought it was only right that the hon. and gallant Member should have an opportunity of disclaiming his words if he thought it necessary. The Reserve had been found fault with by some Members, who seemed to have forgotten that last year, when the Government called upon them, they came up to a man. That was a great surprise to some hon. Members, though it was not a surprise to him, for he always believed they would come. Still, however, they did join in the most extraordinary way. There was scarcely a man who did not answer to his name, and all of them were admirable soldiers, who, if they had gone abroad, would certainly have done good service. He might state, also, another fact. He knew, from his own knowledge, that a short time ago there was a proposition that members of the Reserve should be allowed to volunteer for active service abroad. The Secretary of State for War determined to call upon them; but he limited the number to 1,000, and he was certain that hon. Members would be surprised to hear that 940 men immediately presented themselves of their own accord. What more could they have done? He really thought this proved they might congratulate themselves on having in the Reserve a nucleus of an admirable system of Army organization.

Sir PATRICK O'BRIEN thought he was not out of Order in asking attention to one question raised by the hon. and gallant Gentleman. He stated that some battalions had become so attenuated that they, at present, only numbered some 300 or 360 men on parade. He should like to know what course the Government had taken to fill up those battalions, and to keep them at their proper efficiency? If they had only 300 or 360 men in the battalion, the number of Reserve men they would be likely to get would become somewhat limited.

Sir HENRY HAVELOCK asked to be allowed to say one word strictly in explanation. When the Army Discipline and Regulation Bill was before them, he asked whether the Secretary of State for War was precluded from taking the services of Reserve men who were ready to come forward to serve, and what portion of the Reserve Acts had been incorporated with the Army Discipline and Regulation Bill? The Secretary of State for War replied that the Reserve Acts had only been incidentally incorporated in the Act. He pointed out this blot in the month of February. He distinctly charged it against the Government, as one of their acts of omission, that in consequence of their not having remedied it, Reserve men, who were willing and anxious to come, were prevented from doing so. This blot still remained; and they were now, as in the month of February, absolutely without the means of taking any of these Reserve men. He should like to know what steps the Government proposed to take to remedy this? for he alleged, without the slightest fear of contradiction, that if they had taken steps that were in their power to fill up their battalions with men who were willing to volunteer there would never have been these attenuated battalions, which had been made a peg on which to hang this state of alarm in which the country had been ever since.

COLONEL MURE wanted to know if these 940 men had been taken for this year, or had been taken for the rest of their period of Reserve?

MAJOR O'BEIRNE begged to move to report Progress. It was useless to take these Votes while the Secretary of State for War was absent.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Major O'Beirne,*)—put, and *negatived.*

Original Question again proposed.

COLONEL LOYD LINDSAY replied, that the Reserve men were taken for the remainder of their 12 years' service. With regard to the question of the hon. and gallant Gentleman opposite (Sir Henry Havelock), the Government, if necessary, could ask for Reserves again in the same way as they had done recently.

MR. RYLANDS wished to point out to the hon. and gallant Gentleman that this charge entirely disturbed the calculations on which this Vote was asked for. If 1,000 men were to be drafted from the Reserve into the Army, it altered the number on which the Estimates were based; and, therefore, the hon. and gallant Gentleman ought to alter his Estimates. He objected, altogether, to give Government more money than they were entitled to; and, therefore, he would suggest that the Vote, in its present shape, should be withdrawn, for the purpose of being brought in again at a lower amount. He could not go into the technical question which had been raised by hon. and gallant Gentlemen, whose experience gave them a right to speak on the subject; but he thought they might wait for the Report of the Committee which was now inquiring into the whole matter. He presumed it was utterly impossible they should have that Report this Session. He was very much inclined to agree with the noble Lord opposite (Lord Elcho) that the Committee was merely a hanging up of the whole question. During his own experience of the House they had always been having Committees on the Army, and there had always been a great impression that the state of the Army was unsatisfactory. There were always prophets of evil; and now they were told that the Army, which ought to be in the most vigorous condition, was to undergo a searching analysis to see where the disease was from which it suffered. To him, who was not a member of the Service, it was extremely unsatisfactory to hear such complaints, from year to year, of the state of the Army, and yet to be called upon every year to join in voting an enormous sum for its maintenance. They voted something like £16,000,000 annually for the Army, and yet they were told it was in such a state that it was positively almost crumbling from weakness. When the Army Reserve was first established he was under the impression it was to be used in a time of great national emergency, and that by these means they would be able to fall back upon a large number of trained men. Yet now, under the pressure of a single paltry war, they were positively interfering with this Reserve; and if they proposed to enlist them the Reserve would not be found when they were wanted. They had already taken advantage of not less than 1,000 of them, and he protested altogether against a state of things under which it was necessary, in a small war like this in Africa, to draw on the Reserves.

COLONEL MURE said, they ought to add to the Army Votes a sum for these men, and to deduct £6,000 from the Reserve Vote. These men, whether they were sent to the Cape or served at home, were no longer in the Reserve. He should be glad if his hon. and gallant Friend could give him any information as to the state of the Reserves. Here it was reduced at a blow by 900 odd men, and yet they were voting for the number proposed when the Estimates were reduced, without knowing anything about the present condition of the Force.

SIR PATRICK O'BRIEN said, they were being asked for the Vote for men who did not belong to the Reserves, and, for his part, he did not think they ought to pay money unless it was actually expended. In order to bring the whole question before the Committee he would move to reduce the Vote by £6,000.

Motion made, and Question proposed,

"That a sum, not exceeding £197,000, be granted to Her Majesty, to defray the Charge for the Pay, Allowances, &c. of a number of Army Reserve First Class, not exceeding 22,000, and of the Army Reserve Second Class, which will come in course of payment during the year ending on the 31st day of March 1880."—(*Sir Patrick O'Brien.*)

Colonel LOYD LINDSAY said, his hon. Friend the Member for Burnley was so enamoured of the Reserve that he wished it should not be used. His objection to the Reserve was that when they required it they should have men upon whom they could call, and he was at a loss to understand the argument of the hon. Member. These men were there, and when they wanted them on an emergency, such as that which had taken place, they took the course pointed out by reasonable men, and asked for their services. Of course, if they had men in one place they could not have them in another. With regard to this question of pay, it was only a matter of Estimates. The Estimates were merely a calculation of the pay which would fall due; and if they did not pay these men on one Vote they would pay them on another. The matter was so simple, he did not think it worth making any alteration about, or to shift these men from the Reserve to the Army. Of course, it could be done if necessary; but it was not a matter which reasonable men would desire or wish to see carried out. As to the number of the Reserve, the process was more simple. They had only to deduct 940 from the Reserve Force. The figures were—111 Artillery, 642 Guards, 1,244 Rifles, 13,719 Infantry, and 2,400 Cavalry.

Colonel MURE remarked, that these were the figures for four months ago, and he wanted to know what the Forces consisted of now? Surely, when Estimates were brought up for discussion, hon. Members should be informed of the condition of the Army. He wanted to know what had been added to the Reserve during these four months?

Sir PATRICK O'BRIEN observed, that under this Vote they took a charge for each of these 940 men at 4*d.* a-day; but if they went out to serve like ordinary soldiers the 4*d.* a-day would not be paid. But they would have to be paid at the ordinary valuation rate, and, consequently, he should think there would be a very considerable mixture of accounts. It seemed to him a most extraordinary course of procedure, and it would certainly be a more regular course of proceeding to have a Supplementary Vote in the ordinary way. If he could get no more satisfactory answer than that given to him he should certainly take a Division.

Mr. RYLANDS said, according to the statement of the hon. and gallant Gentleman, if they took 1,000 men from the Reserve and added them to the Army it would be necessary, if they reduced the Reserve Vote, to add it to the Army Vote. In that he was altogether wrong, for in the Army Vote they had a Vote for the total number of men, and could not increase that. The 1,000 men from the Reserve simply filled up vacancies in the ranks of the Regular Forces, as he took it for granted that the Secretary of State for War had not attempted to employ more men than were voted. Further, he might explain that he wished the Reserve men to be used in a proper emergency; but the emergency contemplated was a great national one, and not the state of things recently existing. The Army ought to be in such a state that they ought not to go to the Reserves at all, except for an emergency which was worthy of being called really national. They never ought to resort to the Reserves on a little pressure, which ought not to have arisen if the Army had been efficient.

Mr. WHITWELL pointed out that there must be some misunderstanding as to this Vote. They voted a certain number of men for the Reserves; but did not say the men were always to be the same. That number was suddenly changed; because Reserve men volunteered into the regiments; consequently, when the 1,000 men were taken off for this purpose there was an influx of others coming in after five years' service.

Major O'BEIRNE pointed out that it was quite useless to have Cavalry Reserves when they really had Reserves in each regiment. In most Cavalry regiments they had about 500 men, with only 300 horses, and, therefore, there was no need for any Reserves.

Sir HENRY HAVELOCK trusted they might be allowed to proceed with this Vote, thinking the discussion on it had taken quite long enough. The number of Reserves he found, in July, was 16,959;

but that number varied from day to day. Secondly, what had been pointed out as inaccurate was not so, for the Vote taken at the beginning of the year would cover the actual number who joined. He thought the Government had done very wisely and properly in taking these men from the Reserves; and he apprehended they were intended to re-inforce the Army in Zululand, if necessity arose. He was surprised, however, at one remark of the hon. and gallant Gentleman, for he took credit to the Department for taking these men in the month of June, when he had urged upon the Government that they should take them ever since the month of February. In that month they would have been of some use, and it was then they ought to have taken them.

SIR PATRICK O'BRIEN asked leave to withdraw his Amendment, as he was satisfied with the explanation of the hon. Member for Kendal (Mr. Whitwell).

Motion, by leave, *withdrawn.*

Original Question again proposed.

COLONEL MURE said, it was most important they should know the exact number of the Reserves. They were stated at 16,000, and now they had deducted 1,000 men; so that in 1878-9 they were stated to be 19,000 men, and previously they were put at 22,000. But if there were 19,000 last year, even allowing for the 1,000 taken away, what had become of the 2,000 difference between those figures and the 16,000 estimated for?

MR. PARNELL moved to reduce the Vote of £165,000, the payment of the Army Reserve, Class 1, by £25,000. He said, that the Vote had always been loosely drawn, and exemplified the practice of the War Office, which always estimated for a larger sum of money than it was likely to spend. The consequence was that the War Office had always a good deal of money in hand wherewith to embark, without the consent of Parliament, in little wars. He had no doubt that a great deal of the cost of the Zulu War had been paid for, not out of the Vote of Credit passed at the commencement of the Session—for that must have been spent long since—but out of the balances which the War Office had at its disposal as the result of these excess Votes. In 1877-8, 15,000 of the First Class Army Reserve were estimated for, and in January, 1878, only 11,258 were actually in existence. In 1878-9 19,000 men were estimated for, and in 1879 there were only 15,000 in existence. In 1879, 22,000 were estimated for. The right hon. and gallant Gentleman the Secretary of State for War knew he would never get that number, and it was perfectly certain that it was impossible for him to obtain it. He, therefore, proposed to cut down the Estimates to the proportion of men the Government were likely to have. He found, from the Auditor General's Report, pages 38 and 39, that in 1876-7 only £47,000 was spent out of £87,000 voted in that year. It followed, therefore, that if they cut down the Vote by £25,000 the War Office would still have another £25,000 which it could not use; £140,000 would be left, which would be £10,000 more than the War Office could possibly spend.

Motion made, and Question put, "That Sub-head B, £165,000, Pay of Army Reserve, be reduced by £25,000."—(*Mr. Parnell.*)

The Committee *divided:*—Ayes 4; Noes 64: Majority 60.—(Div. List, No. 204.)

Original Question put, and *agreed to.*

(12.) Motion made, and Question proposed,

"That a sum, not exceeding £392,400, be granted to Her Majesty, to defray the Charge for Commissariat, Transport, and Ordnance Store Establishments, Wages, &c., that will come in course of payment during the year ending on the 31st day of March 1880."

MAJOR NOLAN said, he wished to draw attention to this Vote, which dealt largely with the salaries of two Departments—the Commissariat and Ordnance Stores.

COLONEL LOYD LINDSAY begged to move to report Progress.

THE CHAIRMAN: The hon. and gallant Member for Galway is in possession of the House.

MAJOR NOLAN said, if the Chancellor of the Exchequer wished to report Progress he would not oppose; but he wished to speak on this Vote.

THE CHANCELLOR OF THE EXCHEQUER said, if there was any probability of getting the Vote he would be very glad to take it; but he was under an honourable engagement not to sit much after 6 o'clock. If, therefore, they were likely to take this Vote without much discussion he would go on; but if it would take any great amount of time it would be better to report Progress. He would, however, leave the matter in the hands of the House.

Major NOLAN said, he would make his remarks very brief, and as he was likely to be called away next week he should be glad if the Vote could be taken then. The Ordnance Store Department was a very important one, for it had to supply the Army with ammunition, guns, and, in fact, everything except food, yet they had been very badly treated for a very long time. The majors averaged from 28 to 32 years' service, while officers of the rank of captain averaged from 12 to 28 years. Their appeals had been repeatedly allowed to be fair, and some time ago the corps was amalgamated with the Control. Their grievances, however, were not fully considered, The Control was afterwards broken up; and now, although they stood alone, all the promises given them of improving their prospects had not been carried out. A Committee was appointed to consider the matter, and, very strangely, the only result of their action was to nominate two of their members to very good appointments. One was appointed as the Director of Transports and Supplies, and the other as Secretary of the Service. The Committee, however, reported that these officers were really very badly treated, and that promotion was unduly delayed. As a rule, 20 years' service was enough for promotion; while nearly all the majors in this corps had served for 28 years. They had been promised that a Warrant should be brought out and promulgated; but the promise did not state that they should be put on a perfect parity with the Commissariat. These officers thought that they ought to be placed exactly in the same position as the Commissariat. They had not to deal much with money; on the other hand, the Store Department, as was well understood by those who knew anything of the Army, had to keep stores which were quite as valuable as the money intrusted to the Commissariat. The officers objected also to being called store-keepers, which gave them a bad position. On the creation of this important Department, many Artillery officers joined it in the expectation that it would be a military body, with very high positions attached. But there was still this real and tangible grievance in regard to promotion, and he had hoped something at least would have been done.

Lord EUSTACE CECIL admitted that there were reasons for the complaints with regard to this Department, and he could only say that his noble and gallant Friends, the former Secretary of State for War, and the present Secretary of State for War, as well as himself, were always anxious to remove these grievances which, in fairness to himself and his Friends, he must say they found existing when they came into Office. He knew that the position this corps occupied raised a feeling of soreness in many respects which it was very right to remove. It was quite correct to say there were several Committees who had endeavoured to come to some arrangement with a view to facilitate promotion. He did not propose to go through all their recommendations; but it would be sufficient to say that, at least, they had decided that the Commissariat should be put on a military basis, and eventually, if that proved successful, and if they got officers and non-commissioned officers such as they expected, the Ordnance Store would follow. It would be a question of time, of course, for they must see how this plan worked. The hon. and gallant Gentleman had mentioned a list of complaints and grievances of some officers, and certainly some of them had existed for a very long time. But he believed that they arose very much from the abolition of the connection with the Control in 1875. Before that time, the two Services being together in one body, the promotion of the officers was, no doubt, facilitated, and they had a greater chance of promotion. Since the separation was made, the Secretary of State for War had appointed two Committees to see how far these grievances could be removed, and their recommendations were still under consideration. If the hon. and gallant Gentleman referred to the answers he had given on this subject, he would find he had said that the officers of the Ordnance Store would be very nearly—he had used those words, but they gave a very wrong impression—he should have said, on all fours, with the officers of the Commissariat. The words he used, and which he very much regretted, he saw had produced an mpression that the officers of the Ordnance Store would be in some material or slight degree different from Commissariat officers; whereas they would not, in any degree, or in the slightest degree, be different, either as regarded pay, pension, or promotion. Considering the way in which the officers were brought into the Ordnance Store Department, however, it would be impossible, in individual instances, to make the promotion of all individuals exactly the same. It was the desire, however, of the Government to make them, as nearly as possible, the same, and that was why he used the words, "very nearly." If he had said "on all fours," he would have been, practically, more correct and accurate. As to the officers being called store-keepers, the term was a very ancient one, and it was only within the last 20 years that any fault had been found with it. That might arise from the fact that stores, generally, had spread all over the world; but, still, he did not think the word "store-keeper" was associated in any way with the idea of co-operation. This term had always been used; but he knew that the feeling was as represented, and he had always felt there was ground for complaint. If, therefore, anyone would suggest to him an equally good or better term, which would not interfere with the Commissariat Department, he would use his interest to get it adopted. He did not hold to the use of the word as strictly necessary; and if anyone could discover some other term which would not produce confusion he should be very glad to adopt it.

COLONEL **ARBUTHNOT** thought it would be scarcely fair for him to move a reduction of the Vote at that time; and, therefore, he would defer the observations he wished to make to another stage.

MR. **O'DONNELL** said, he had listened with great care to the speech just made on this subject, and was very much interested in it. If anyone wished to quote an admirable example of the obstruction of Public Business, he could not give a better one than the system of the Ordnance Department. It was only a little better now than the condition in which it was discovered to be immediately after the Crimean War. There were "young" officers in it whose average was 30 years' service. No attention whatever had been paid to their grievances. It was always the same story—"At an early date," "Very soon," "The utmost possible consideration." These phrases had been going on for a quarter of a century. He thought the subject very important. A little more time ought to be given to it, especially as his hon. and gallant Friend (Major Nolan) had shortened his remarks very much. On the efficiency of the Ordnance Department depended the efficiency of the Service; and, therefore, he thought they had better move to report Progress. These officers had been treated in a very bad way. He did not blame the present Government especially for it, for all the Secretaries of State for War for the last 12 years had gone on in pretty much the same way, and had made the same declaration which they had just heard from the Government Bench. He wanted to see the subject treated a little more fully and fairly, and he begged to move to report Progress.

Motion made, and Question, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. O'Donnell,*) —put, and *negatived.*

Original Question again proposed.

SIR **HENRY HAVELOCK** did not wish to keep the Committee, but he did hope this matter might be brought to a decision very speedily. He was not speaking without some right, because it had been his unhappy lot to bring this subject five or six times before his noble Friend; and, as yet, not much progress had been made. The scientific inquiries in connection with the Army became more technical every year. There was no branch of the Service in which special technical education of very broad scope was more important, and there was nobody better aware of these facts than his noble Friend. During this Session he had repeatedly heard that this matter was receiving the utmost consideration; and now, when they were going to separate for several months, the matter did not seem to have progressed one inch. The noble Lord admitted that many of the officers were of very long service, and yet the only expression he gathered from his speech was not encouraging, but rather the reverse; for he understood him to purposely qualify the hopes he had given rise to before. The general impression left upon his mind was that, instead of the hopes of these officers having advanced nearer consummation, they were further off than before. He trusted, before the Session closed, the Government would have offered to bring up this Report, which had been wandering between the War Office and the Treasury; and that it would not be allowed finally to take up its bed in some pigeon-hole, but that it would be acted upon. Not only were these officers nearly on all-fours, but they were, in all respects, the same as the Commissariat Service; and, therefore, he hoped these officers, whose promotion had been so long delayed, would at last find some progress made towards the fulfilment of their desires.

Mr. CALLAN appealed to hon. Members to take the discussion of this Vote on the Report, as it was now past the time when they ought to report Progress. He moved to report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Callan.*)

Mr. O'SHAUGHNESSY observed, that it only remained to impress on the Government what had been put forward by his hon. and gallant Friend (Major Nolan). It was perfectly astonishing to him to see the anxiety displayed by these officers for military titles. He did not appreciate their anxiety; but it certainly was very strong, and as they gave good reasons for their demands he felt bound to support it. He did not see why they should not have them, as other non-combatant branches possessed them. The officers of this Department would be largely chosen from the combatant officers; for an officer, after five years in the Artillery, would have power to go to the Ordnance Store Department, and then to go back to the Artillery if he chose. If the two Services of Ordnance and Commissariat were to be so mixed up, there was a very good reason for giving them the same title.

Major NOLAN thought one or two points in the speech of the Surveyor General of the Ordnance (Lord Eustace Cecil) were unsatisfactory. The proposal was to try this experiment, first with the Commissariat, and, if it succeeded, to extend it to the Ordnance Stores. The result would be that many Commissariat officers would be put above Ordance Store officers of the same date. He was afraid the officers of the Commissariat were more organized, and belonged to better rank; and, in consequence, the Ordnance Store Department had been put back. He could not see why the Commissariat and the Ordnance Store Departments were at first put together, and then broken up. Surely, the Ordnance Stores should have first place, for they had charge of the gunpowder and the ammunition, while the Commissariat were merely civil officers. For his part, he would make both combatant branches. In his opinion, by giving this preference to the Commissariat, they did not benefit that Department so much, while they seriously injured the Ordnance Store Department by making them the only Civil Department of the Army. The grievances of these officers had always been acknowledged, ever since 1855; but because many of them were not men of position, or high rank, their case had been put off, and they had not been promoted. Though he believed there was not much alacrity shown in redressing these grievances, he did not see, also, why, instead of being called "store-keepers," they could not be called "Officers of the Ordnance Corps." Certainly, the objection to calling them "store-keepers" was very strong. No doubt, they had a great deal to do with stores; but, still, the title was very objectionable, and the desire for a change was very desirable. Justice would be done very easily to these gentlemen, and at no cost to the Treasury, by putting them on a military footing.

Mr. CALLAN said, he had not intended to move to report Progress. He had only intended to suggest that this discussion could not finish then.

Motion, by leave, *withdrawn.*

Mr. O'DONNELL pointed out that the object desired could very easily be obtained. All that was asked was that these gentlemen should not be called by a name which, practically, identified them with general shopkeepers in the Colonies. It was a point of grievance with these officers that the Government seemed actually rather to enjoy the plight in which these officers were, and to laugh at the idea that they were likely to be mistaken for shopkeepers. He did not think that was the position which the Government ought to take up. It would be exceedingly easy to amend this, and the title was certainly an incorrect one; because it seemed as if these officers were mixed up with tinned meats, and biscuits, and vegetables, with which they had nothing to do at all.

LORD EUSTACE CECIL hoped the discussion would not go further, and that when hon. and gallant Gentlemen saw the Warrant, both they and the Ordnance Store and the Commissariat Department would be satisfied. It had not been published, in consequence of what had happened at the Cape, and elsewhere; but he might explain that there was no intention to give titles to the civilian officers of the Commissariat, or to put them on a different footing whatever to the Ordnance Stores. He could assure the hon. and gallant Gentleman that it had been his strong desire to keep a strict impartiality between the two branches, in order that neither one nor the other should enjoy advantages in pay, pension, or promotion.

MR. O'DONNELL asked whether they could know when the Warrant would be issued? It was complained that they brought on the discussion before the Warrant was issued; but as they did not know when it was coming out the discussion was certainly necessary.

LORD EUSTACE CECIL replied, that it would be published as soon as some trifling matters between the War Office and the Treasury were settled. It would be published almost immediately.

Original Question put, and *agreed to.*

House *resumed.*

Resolutions to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

REGISTRY COURTS (IRELAND) (PRACTICE) BILL.—[BILL 259.]

(*Mr. Callan, Sir Joseph M'Kenna, Mr. Fay.*)

COMMITTEE.

Order for Committee read.

MR. CHARLEY: I think we ought to have some explanation with regard to this Bill. It seems to make an alteration in the Law of Registration in Ireland from that existing in England.

MR. CALLAN: Let me explain. The Bill is simply to remove disabilities which have been found to exist, but which were never intended by the Act. If we are allowed to go into Committee I do not propose to proceed further. I only wish to give time for the consideration of Amendments.

MR. J. LOWTHER: The Bill appears to me to be a harmless one, especially under those conditions.

Bill *considered* in Committee.

(In the Committee.)

Committee report Progress; to sit again upon *Tuesday* next.

CHARTERED BANKS (COLONIAL) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to make further provision with respect to certain Chartered Banking (Colonial) Companies; and for other purposes relating thereto.

Resolution *reported:* — Bill *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented,* and read the first time. [Bill 278.]

EXPIRING LAWS CONTINUANCE BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill to continue various Expiring Laws, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented,* and read the first time. [Bill 279.]

House adjourned at Seven o'clock till Monday next.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCXLVIII.

SIXTH VOLUME OF SESSION 1879.

Explanation of the Abbreviations.

In Bills, Read 1^{o}, 2^{o}, 3^{o}, or 1^{a}, 2^{a}, 3^{a}, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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Moved to resolve, "That in the opinion of this House no further improvements ought to be sanctioned under the Act until the principle on which compensation is awarded for property taken shall have been amended" (*The Earl of Camperdown*) *July* 24, 1157; after short debate, on Question? resolved in the negative

Artizans' Dwellings Act (1868) Extension Bill
(*Mr. Torrens, Sir Thomas Chambers, Mr. Goldney*)
c. Committee (*on re-comm*); Report *July* 14, 409 [Bill 31]

Ashley, Hon. A. Evelyn M., *Poole*
Merchant Shipping Acts—Inspection of Emigrant Ships, 14
Supply—Suez Canal, 1599

Asia, Central—Russian Advance on Merv
Question, Mr. C. Beckett-Denison; Answer, Mr. Bourke *July* 14, 306

Attorney General, The (Sir J. Holker), *Preston*
Army Discipline and Regulation, Comm. Postponed *cl.* 69, 377; *add. cl.* 497; Consid. *cl.* 42, 778; *cl.* 45, 779
Bankruptcy Law Amendment, 2R. 555, 721, 955
Building Societies Acts—Borrowing Powers, 1406
Supreme Court of Judicature Acts Amendment, Comm. *add. cl.* 724, 726
Supreme Court of Judicature Officers—Salaries, 447
Tower High Level Bridge (Metropolis), Comm. Report, 974

Australian Defences—The Reports
Amendt. on Committee of Supply *August* 1, To leave out from "That," and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, Copies of Official Reports on Australian Defences, by Sir W. F. D. Jervois and Colonel Scratchley, R.E.; and of Correspondence relating thereto between those Officials, the Governments of New South Wales, Victoria, South Australia, Queensland, Tasmania, New Zealand, and the Colonial Office" (*Colonel Arbuthnot*) *v.* 1852; Question proposed, "That the words, &c.;" after short debate, Question put, and agreed to

Balfour, Major-General Sir G., *Kincardineshire*
East India Loan (Consolidated Fund), 2R. 1321, 1323
India—Finance Accounts, 844

Balfour, Mr. A. J., *Hertford*
Cyprus—Administration of the Island—Civil Police Force, Res. 1568, 1577

Banking and Joint Stock Companies Bill
(*Mr. Chancellor of the Exchequer, Mr. Secretary Cross, Sir Henry Selwin-Ibbetson*)
c. Moved, "That the Bill be now read 2°" *July* 22, 978 [Bill 126]
After short debate, Amendt. to leave out "now," and add "upon this day three months" (*Mr. Fraser-Mackintosh*); Question proposed, "That 'now,' &c.;" after further debate, Debate adjourned
Debate resumed *July* 29, 1537; after debate, Question put, and agreed to
Main Question put, and agreed to; Bill read 2°; Committee; Report [Bill 264]
Questions, Mr. Muntz, Sir Joseph M'Kenna; Answers, The Chancellor of the Exchequer *July* 31, 1711

Bankruptcy Law Amendment Bill [H.L.]
(*Mr. Attorney General*)
c. Moved, "That the Bill be now read 2°" *July* 16, 555
Amendt. to leave out "now," and add "upon this day three months" (*Mr. Serjeant Simon*); Question proposed, "That 'now,' &c.;" after debate, Amendt. withdrawn
Main Question proposed, "That the Bill be now read 2°;" Moved, "That the Debate be now adjourned" (*Mr. Biggar*); after short debate, Debate adjourned
After short debate, Adjourned Debate further adjourned *July* 17, 720
Question, Mr. Rathbone; Answer, The Chancellor of the Exchequer *July* 21, 857
Debate resumed *July* 21, 955; after short debate, Question put, and agreed to; Bill read 2°; Committee; Report [Bill 114]
Question, Mr. Rathbone; Answer, The Chancellor of the Exchequer *July* 22, 969
Moved, "That the House will, upon Saturday, resolve itself into the said Committee" *July* 31, 1821 [House counted out]

BARCLAY, Mr. J. W., *Forfarshire*
Banking and Joint Stock Companies, 2R. 1537
Lord Clerk Register (Scotland), Comm. *add. cl.* 1026
Under Secretary of State for Scotland, 857

BARING, Mr. T. C., *Essex, S.*
Artizans' Dwellings Act (1868) Extension, Comm. *cl.* 21, 415
Banking and Joint Stock Companies, 2R. 1553
Bankruptcy Law Amendment, 2R. 600
Metropolitan Board of Works (Water Expenses), 2R. 130

BARNE, Colonel F. St. John N., *Suffolk, E.*
Education Code—Elementary Science, Res. 1641

BARRAN, Mr. Alderman J., *Leeds*
School Boards (Duration of Loans), 2R. 1155

BARTTELOT, Colonel Sir W. B., *Sussex, W.*
Army Discipline and Regulation, Comm. *add. cl.* 474
University Education (Ireland) (No. 2), 2R. 1207

BAXTER, Right Hon. W. E., *Montrose, &c.*
Board of Customs—Secretary, 19
Railway Commission Continuance, 627
Treaty of Berlin—Asiatic Provinces of Turkey, 751

BEACH, Right Hon. Sir M. E. HICKS- (Secretary of State for the Colonies), *Gloucestershire, E.*
Africa, South—Miscellaneous Questions
  Administration of Native Affairs, 1880
  Griqualand East—Imprisoned Griquas, 970, 1297
  Griqualand West—Alleged Massacre near Koegas, 967, 968
  Sikukuni, War with, 966
  Sir Garnet Wolseley's Instructions, 624
  Transvaal Papers—"White *v.* Rudolph," 24
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BEACH, Right Hon. Sir M. E. HICKS—*cont.*
Africa, South—Zulu War—Miscellaneous Questions
  Reported Submission of Cetewayo, 729
  Telegram, 758
  Victory at Ulundi, 1099
Army—Army Commissions—Royal Military College, Kingston, Canada, 1706
Australian Defences—Reports, Motion for an Address, 1852
Canada, Dominion of—Supersession of M. Letellier de St. Just, 1413
Colonial Naval Defence Act, 1865—Royal Colonial Naval Reserve Men, 1171
Malta (Cost of Police, &c.), Res. 1914
Post Office Contracts—Peninsular and Oriental Steam Navigation Company, 621
Supply—Colonies, Grants in Aid, 1592, 1593, 1594
  Tonnage Bounties, 1604

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Artizans' and Labourers' Dwellings Act, 1875, Res. 1165
Cathedrals Commission—Constitution of the Commission, 133
Slavery in Cuba, Motion for Papers, 829
University Education (Ireland), Report, 289; 3R. 442, 443

BEAUCHAMP, Earl (Lord Steward of the Household)
Artizans' and Labourers' Dwellings Act, 1875, Res. 1161
Cruelty to Animals, 2R. Amendt. 422
Industrial Schools (Powers of School Boards), 2R. 1400; Comm. 1700
Metropolis—Dangers of the Streets, 960
Petroleum Act (1871) Amendment, Comm. 1842

BELL, Mr. I. L., *Hartlepool*
Criminal Law—Case of Edmund Galley, Motion for an Address, 1364
Noxious Gases, 1406
Supply—Science and Art Department, &c. 1969
  Superintendence of Prisons, &c. in Ireland, 1508

BENETT-STANFORD, Mr. V. F., *Shaftesbury*
Army Discipline and Regulation, Consid. 665

BENTINCK, Right Hon. G. A. F. Cavendish (Judge Advocate General), *Whitehaven*
Army—60th Rifles—Colour-Sergeant Dickaty, 616, 756
Army Discipline and Regulation, Comm. *cl.* 167, 97; *cl.* 180, 120; Postponed *cl.* 69, 366; *add. cl.* 511, 516
Criminal Law—Case of Edmund Galley, Motion for an Address, 1340

BENTINCK, Mr. G. W. P., *Norfolk, W.*
Army—Supply of Water to Landguard Fort, 1172
Parliament—Business of the House, 27, 28
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BERESFORD, Lord C. W. D., *Waterford Co.*
Army Discipline and Regulation, Consid. *cl.* 45, 793

BERESFORD, Colonel F. M., *Southwark*
Army—Ordnance Department—Claims of Mr. Padwick, 843
Science and Art Department—United Westminster School of Art—Suspension of Mr. Goffin, 300
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BERESFORD, Mr. G. De La Poer, *Armagh*
Great Northern Railway (Ireland), Consid. 749

BIDDULPH, Mr. M., *Herefordshire*
Army and Navy Exchanges, 620

BIGGAR, Mr. J. G., *Cavan Co.*
Army Discipline and Regulation, Comm. *cl.* 166, 80, 90; Postponed *cl.* 87, 381; *add. cl.* 487, 494, 497, 499, 506; Consid. 766; *cl.* 6, 771; *cl.* 45, 787, 793; *cl.* 128, 811
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Criminal Law—Perryman, The Convict, 628
Education (Scotland) — The Abbey Parish Board, Paisley, and School Fees, 1528
Great Northern Railway (Ireland), Consid. 749
Ireland—Miscellaneous Questions
  Peace Preservation Act—Special Police Taxes, 759
  Post Office—Belfast Post Office, 970
  Royal Constabulary—The Town Inspector of Belfast, 161
Navy—H. M. S. "Warrior," 753
Navy Estimates—Admiralty Office, Amendt. 1770, 1772, 1776, 1778
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Scotch and Irish Universities Votes, 1946
Supply—Constabulary Force in Ireland, 876, 889, 908, 921, 922, 927
  High Court of Justice in Ireland, 1496, 1497
  Hospitals and Infirmaries in Ireland, Motion for reporting Progress, 1385
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  Savings Banks and Friendly Societies, Fund for, 1393
  Science and Art Department, Motion for reporting Progress, 1936, 1939
  Superintendence of Prisons, &c. in Ireland, 946, 949, 1509
University Education (Ireland) (No. 2), 2R. 1267

Bills of Sale (Ireland) Bill [H.L.]
(*The Lord O'Hagan*)
l. Presented; read 1ª* *July* 18 (No. 155)
Read 2ª* *July* 24

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Bills of Sale (Ireland) Bill—cont.
Committee* *July* 28
Report* *July* 29
Read 3ª* *July* 31
c. Read 1°* *July* 31 [Bill 273]

BIRLEY, Mr. H., *Manchester*
Army Discipline and Regulation, Consid. *cl.* 45, 782
Banking and Joint Stock Companies, 2R. 1014
Criminal Law—Case of Edmund Galley, Motion for an Address, 1365

Black Sea—Surveyors of Vessels in the
Question, Mr. Anderson; Answer, Viscount Sandon *July* 17, 613

BLANTYRE, Lord
Representative Peers for Scotland, Election of —The Earldom of Mar, 139

BOORD, Mr. T. W., *Greenwich*
Metropolitan Board of Works (Water Expenses), 2R. 131

Border Summons Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª* *July* 31 (No. 170)
Read 2ª* *August* 1

Boundary Commission (England and Wales) Bill
(*Lord Edmond Fitzmaurice, Mr. Pell, Mr. Clare Read, Mr. Backhouse*)
c. Ordered; read 1°* *July* 28 [Bill 263]

BOURKE, Hon. R. (Under Secretary of State for Foreign Affairs), *Lynn Regis*
Asia, Central—Russian Advance on Merv, 306
Cyprus—Miscellaneous Questions
  Papers, No. 4, 1529
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Russia—Treatment of Russian Convicts—Deportation to Saghalien, 1404, 1405
Siam, Kingdom of — Action of Mr. Knox, British Consul General — The Gunboat "Fox," 1845
Supply—Consular Services, 1589, 1590, 1591, 1592
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  Slave Trade, Suppression of, 1601
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  Asiatic Provinces of Turkey, 751, 752
  Jews in Eastern Roumelia, 964
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Bousfield, Colonel N. G. P., *Bath*
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Bowyer, Sir G., *Wexford Co.*
Army Discipline and Regulation, Comm. *add. cl.* 479
Indian Museum, Res. 1738
Malta (Cost of Police, &c.), Res. 1908, 1911
Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 215, 244
Tower High Level Bridge (Metropolis) Committee, 1102, 1113
University Education (Ireland) (No. 2), 2R. 1220

Brand, Right Hon. H. B. W., (*see* Speaker, The)

Brassey, Mr. T., *Hastings*
Cyprus—Administration of the Island—Civil Police Force, Res. 1570
Navy—Professional Officers in the Dockyards, 1747

Brentford and Isleworth Tramways Bill
l. Moved, "That the Bill be now read 3ª" *July* 14, 272; after short debate, Motion withdrawn
Moved, "That the Bill be now read 3ª" *July* 22, 956
Amendt. to leave out ("now,") and add ("this day three months") (*The Lord Truro*); on Question, That ("now,") &c.; Cont. 44, Not-Cont. 5; M. 39
Div. List, Cont. and Not-Cont., 957
Resolved in the affirmative; Bill read 3ª

Bright, Right Hon. J., *Birmingham*
Criminal Law—Case of Edmund Galley, Motion for an Address, 1347, 1350, 1369, 1371, 1372

Bright, Mr. J., *Manchester*
Bankruptcy Law Amendment, 2R. 722
Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 234

Bristowe, Mr. S. B., *Newark*
Army Discipline and Regulation, Comm. Postponed *cl.* 69, 368; *cl.* 87, 384
Supply—Deep Sea Exploring Expedition (Report), 1985

Brooks, Mr. M., *Dublin*
India—Banda and Kirwee Prize Money, 1705
Irish Church Act (1869) Amendment, Leave, 1631
Local Courts of Bankruptcy (Ireland), 2R. 1133
Parliament—Business of the House, 1713
Post Office Telegraph Clerks (Dublin), 1710
Public Health (Ireland) Act (1868) Amendment, Comm. 1143
Supply—Hospitals and Infirmaries, Ireland, 1607
Post Office Telegraph Service, 1626

Brown, Mr. A. H., *Wenlock*
Army Discipline and Regulation, Comm. *cl.* 171, 108; *add. cl.* Amendt. 403; Consid. 781

Brown, Mr. J. C., *Horsham*
Army Discipline and Regulation, Comm. *cl.* 166, 80; *cl.* 180, Amendt. 120, 122; Postponed *cl.* 3, Amendt. 344
Army Medical Department — Examinations, 753

Browne, Mr. G. E., *Mayo Co.*
Vaccination Acts (Ireland) Amendment, 1846

Bruen, Mr. H., *Carlow Co.*
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Supply—Constabulary Force in Ireland, 867, 888
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Buccleuch, Duke of
Naval and Military Forces—Corporal Punishment, Address for a Return, 1522
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Building Societies Acts — Borrowing Powers
Question, Mr. Isaac; Answer, The Attorney General *July* 28, 1406

Bulwer, Mr. J. R., *Ipswich*
Criminal Law—Case of Edmund Galley, Motion for an Address, 1338
Supreme Court of Judicature Acts Amendment, Comm. *add. cl.* 726

Burials Acts—Churchyards (England)
Question, Sir George Jenkinson; Answer, Mr. Assheton Cross *July* 14, 306

Burt, Mr. T., *Morpeth*
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Bury, Viscount (Under Secretary of State for War)
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Army—Army Organization—Short Service—Zulu Campaign, 1285
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CADOGAN, Earl (Under Secretary of State for the Colonies)
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CAIRNS, Earl (*see* CHANCELLOR, The Lord)

CALLAN, Mr. P., *Dundalk*
Army Discipline and Regulation, Comm. *cl.* 166, 58, 59, 65, 68, 69, 73, 75; *cl.* 167, 103; Postponed *cl.* 87, 386; *add. cl.* 494, 503, 504, 509; Consid. *cl.* 5, 766; *cl.* 45, 786; *cl.* 101, 805; *cl.* 128, 812
Army Estimates — Commissariat, Transport, &c. Motion for reporting Progress, 2023, 2024
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  Crime—Constabulary Expenses, 1413
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  Privilege—Omission from the Votes and Proceedings of the House, 1529
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Regulation of Railways Acts Continuance—Railway Commission, 1851
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  High Court of Justice, Ireland, 1483, 1484, 1489
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  Reformatory and Industrial Schools, Ireland, 951, 952
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CAMERON, Dr. C., *Glasgow*
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  Consular Services, 1590
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  Queen's University in Ireland, 1418
  Science and Art Department, &c. 1967
  Slave Trade, Suppression of, 1601
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  Question, Mr. E. Jenkins; Answer, Sir Michael Hicks-Beach *July* 28, 1413

Canal Boats Act, 1877
  Question, Mr. Price; Answer, Mr. Sclater-Booth *July* 10, 22; Question, Observations, The Archbishop of Canterbury; Reply, The Duke of Richmond and Gordon *July* 29, 1520

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  Canal Boats Act, 1877, 1520

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Cavendish, Lord G. H., *Derbyshire, N.*
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Cecil, Lord E. H. B. G. (Surveyor General of Ordnance), *Essex, W.*
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  Gas Companies and the Electric Lighting, Report of Select Committee, 1527

Chamberlain, Mr. J., *Birmingham*
  Africa, South—Administration of Native Affairs, 1853
  Army Discipline and Regulation, Comm. *cl.* 166, Amendt. 31, 32, 38, 45, 46, 47; *cl.* 167, Amendt. 97, 101, 104; *add. cl.* 389, 399, 400; Amendt. 401, 405, 483, 495, 506, 508; Consid. *cl.* 45, 787
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    Public Education in Scotland, 1975
    Queen's University in Ireland, 1417
    Savings Banks and Friendly Societies, Fund for, 1393, 1394
    Superintendence of Prisons, &c. in Ireland, 944, 950
  Tower High Level Bridge (Metropolis) Committee, 633; Report, 971, 973, 1101, 1102, 1105, 1112; Petition, 1633
  University Education (Ireland) (No. 2), 2R. 1245, 1249, 1251, 1266; Comm. 1941

CHAPLIN, Mr. H., *Lincolnshire, Mid.*
  Army Discipline and Regulation, Consid. 692

Charity (Expenses and Accounts) Bill
  Question, Mr. W. H. James; Answer, The Chancellor of the Exchequer *July* 21, 844

Charity (Expenses and Accounts) (No. 2) Bill (*Mr. Raikes, Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*)
c. Bill withdrawn * *July* 21 [Bill 230]

CHARLEY, Mr. W. T., *Salford*
  Registry Courts (Ireland) (Practice), Comm. 2026
  Supreme Court of Judicature Acts Amendment, Comm. *add. cl.* 725, 727

Chartered Banks (Colonial) Bill
(*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*)
c. Question, Mr. Freshfield; Answer, The Chancellor of the Exchequer *July* 17, 629
  Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1°* *August* 2 [Bill 278]

CHILDERS, Right Hon. H. C. E., *Pontefract*
  Africa, South — Estimate of Expenditure—Ministerial Statement, 1718, 1722
  Army Discipline and Regulation, Comm. *cl.* 166, 40; *cl.* 173, 118; *cl.* 180, 121
  Banking and Joint Stock Companies, 2R. 1012
  British Columbia—Esquimalt Dock, 1711
  Cyprus—Administration of the Island—Civil Police Force, Res. 1583
  East India Loan (Consolidated Fund), 2R. 1325; Comm. *cl.* 2, 1514; Amendt. 1515; *cl.* 3, Amendt. 1516
  National School Teachers (Ireland) (Re-payment of Advances), Comm. 1517
  Navy Estimates—Admiralty Office, 1779
    Scientific Branch, 1790
  Parliament — Business of the House, 1298, 1415, 1416, 1535
  Public Works Loans [Advances, &c.], 1274
  School Boards (Duration of Loans), 2R. 1154
  Supply—Consular Services, 1589
    Diplomatic Services, 1588
    Suez Canal, 1598
    Tonnage Bounties, &c. 1604

Children's Dangerous Performances Bill [H.L.] (*Mr. Evelyn Ashley*)
c. Committee*; Report *July* 10 [Bill 229]
  Considered* *July* 14
  Read 3°* *July* 15
l. Royal Assent *July* 24 [42 & 43 *Vict.* c. 34]

Civil Procedure Acts Repeal Bill [H.L.] (*The Lord Chancellor*)
l. Read 2^a* *July* 11 (No. 132)
  Committee*; Report *July* 14
  Read 3^a* *July* 15
c. Read 1°* *July* 21 [Bill 253]
  Read 2°* *July* 24

Coal Mines—Accident at the Cwm Avon Colliery
  Question, Mr. Macdonald; Answer, Mr. Assheton Cross *July* 10, 18

COCHRANE, Mr. A. D. W. R. Baillie-*Isle of Wight*
  Army Discipline and Regulation, Comm. *add. cl.* 477; Consid. 765

COGAN, Right Hon. W. H. F., *Kildare*
  Ireland—Training of Teachers in Elementary Schools, Res. 260
  University Education (Ireland) (No. 2), 2R. 1264

COLCHESTER, Lord
  Petroleum Act (1871) Amendment, Comm. 1841

COLE, Mr. H. T., *Penryn, &c.*
  Army Discipline and Regulation, Comm. *add. cl.* 524, 525, 529

COLEBROOKE, Sir T. E., *Lanarkshire, N.*
Banking and Joint Stock Companies, 2R. 1549
Criminal Law—Case of Edmund Galley, Motion for an Address, 1365
Education Code — Elementary Science, Res. 1647
Indian Museum, Res. 1738
Scotch Society for Promoting Christian Knowledge, 1671

Colonial Naval Defence Act, 1865—*Royal Colonial Naval Reserve Men*
Question, Colonel Arbuthnot; Answer, Sir Michael Hicks-Beach *July* 24, 1171

COLTHURST, Colonel D. La Zouche, *Cork Co.*
Army Discipline and Regulation—Imprisonment of Military Offenders, 1849
Army—(Ordnance Department)—Heavy Rifled Ordnance—"Thomas *v.* The Queen," 1173
Ireland—Miscellaneous Questions
  Board of Works—Salaries of the Staff, 305
  Public Education, 1993
  Public Works in Ireland, 1455
Ireland—Training of Teachers in Elementary Schools, Res. 270
Navy—H.M. Gunboat "Tyrian," 846
Supply—Constabulary Force in Ireland, 863
University Education (Ireland) (No. 2), 2R. 1199

Commissioners of Woods (Thames Piers) Bill
(*Sir Henry Selwin-Ibbetson, Mr. Gerard Noel*)
c. Ordered; read 1° * *July* 17 [Bill 249]
Read 2° *July* 23, 1122
Committee *; Report *July* 28
Read 3° * *July* 29
l. Read 1ª * (*Lord President*) *July* 31 (No. 168)

Commons Act (1876) Amendment Bill
(*Mr. Pell, Mr. Shaw Lefevre, Sir Walter B. Barttelot, Lord Edmond Fitzmaurice*)
c. Read 2° * *July* 14 [Bill 233]
Committee *; Report *July* 15
Read 3° * *July* 16
l. Read 1ª * (*Lord Henniker*) *July* 17 (No. 152)
Read 2ª *July* 22, 959
Committee *; Report *July* 24
Read 3ª * *July* 25

Companies Acts Amendment Bill
(*The Lord Aberdare*)
l. Order for Committee discharged *July* 31, 1700

Contagious Diseases Acts Repeal Bill
(*Sir Harcourt Johnstone, Mr. Stansfeld, Mr. Whitbread, Mr. Mundella*)
c. Bill withdrawn * *July* 28 [Bill 34]

Convention (Ireland) Act Repeal Bill
(*The Lord O'Hagan*)
l. Royal Assent *July* 21 [42 & 43 *Vict.* c. 28]

Conveyancing and Land Transfer (Scotland) Act (1874) Amendment Bill
l. Read 1ª * (*Earl Camperdown*) *July* 10 (No. 141)
Read 2ª * *July* 25
Committee *; Report *July* 28
Read 3ª * *July* 29

Copyright—Legislation
Question, Mr. E. Jenkins; Answer, Lord John Manners *July* 17, 619

Copyright (No 2) Bill
(*Lord John Manners, Viscount Sandon, Mr. Attorney General*)
c. Acts read; considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° * *July* 29 [Bill 265]

Cork Borough Quarter Sessions Bill
l. Read 1ª * (*The Lord Boyle*) *July* 10 (No. 142)
Read 2ª * *July* 15
Committee *; Report *July* 17
Read 3ª * *July* 18
Royal Assent *July* 21 [42 & 43 *Vict.* c. clxi]

Coroners Bill (*Mr. Secretary Cross, Mr. Attorney General, Mr. Solicitor General, Sir Matthew Ridley*)
c. Report of Select Comm.* *July* 10 [No. 279]
Bill withdrawn * *July* 21 [Bill 243]

CORRY, Mr. J. P., *Belfast*
Local Courts of Bankruptcy (Ireland), 2R. 1128
University Education (Ireland) (No. 2), 2R. 1231

COTTON, Mr. Alderman W. J. R., *London*
Banking and Joint Stock Companies, 2R. 1551
Criminal Law—Case of Edmund Galley, Motion for an Address, 1342

County Boards Bill
(*Mr. Sclater-Booth, Mr. Secretary Cross, Mr. Chancellor of the Exchequer*)
c. Bill withdrawn * *July* 14 [Bill 105]

County Courts (No. 2) Bill [H.L.]
(*Mr. Attorney General*)
c. Bill withdrawn * *July* 14 [Bill 191]

COURTNEY, Mr. L. H., *Liskeard*
Africa, South—The Transvaal Papers—"White *v.* Rudolph," 24
Army Discipline and Regulation, Consid. *cl.* 177, 814
Criminal Law—Case of Edmund Galley, Motion for an Address, 1366
East India Loan (Consolidated Fund), Comm. *cl.* 2, 1515
National School Teachers (Ireland), 2R. Motion for Adjournment, 1091
National School Teachers (Ireland) (Repayment of Advances), Comm. 1518, 1628

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COURTNEY, Mr. L. H.—*cont.*
Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 190
Supply — Charitable and other Allowances, Great Britain, 1613
Post Office Services, &c. 1622; Motion for reporting Progress, 1623, 1624
Tower High Level Bridge (Metropolis) Committee, Petition, 1638
University Education (Ireland) (No. 2), 2R. 1201, 1251, 1269; Comm. Amendt. 1940

COWEN, Mr. J., *Newcastle-on-Tyne*
Railways—Automatic Brakes, 24
Russia—Treatment of Political Offenders—Russian Atrocities, 842, 1403

COWPER, Earl
Public Health Act (1875) Amendment (Interments), Comm. 7

CRANBROOK, Viscount (Secretary of State for India)
Army Discipline and Regulation, 2R. 830
Army Discipline and Regulation (Commencement), 1R. 960
India—Miscellaneous Questions
Brahmin Kishen Dutt, 150
Corporal Punishment in Indian Gaols, 1402
Criminal Law—Use of Torture, 1290
Suchait Singh—The Chumba Succession, 741
Public Health Act (1875) Amendment (Interments), Comm. 4, 5; 3R. 440

Criminal Code (Indictable Offences) Bill
(*Mr. Attorney General, Mr. Secretary Cross, Mr. Solicitor General, Mr. Attorney General for Ireland*)
c. Bill withdrawn * *July* 14 [Bill 170]

CRIMINAL LAW
MISCELLANEOUS QUESTIONS
Conviction of Ambrose Pentney, Question, Mr. Macdonald; Answer, Mr. Assheton Cross *July* 17, 624
Criminal Proceedings against Soldiers, Question, Mr. O'Shaughnessy; Answer, Colonel Stanley *July* 14, 303
Exhibition of Zulus at St James's Hall, Withdrawal of Question, Mr. E. Jenkins; Observation, Mr. Assheton Cross *July* 15, 444
Imprisonment for Stealing Flowers, Question, Mr. Pease; Answer, Mr. Assheton Cross *July* 14, 307
Poisoning by Alcohol, Question, Sir Wilfrid Lawson; Answer, Mr. Assheton Cross *July* 14, 300
The Convict Perryman, Question, Mr. Biggar; Answer, Mr. Assheton Cross *July* 17, 628
The Queen v. Castro, Notice of Question, Dr. Kenealy *July* 16, 554; Question, Dr. Kenealy; Answer, Mr. Assheton Cross *July* 18, 756
The Stripping and Searching of Prisoners, Questions, Mr. H. B. Sheridan; Answers, Mr. Assheton Cross *July* 17, 632; *July* 21, 848

Criminal Law — The Case of Edmund Galley
Amendt. on Committee of Supply *July* 25, To leave out from "That," and add "the innocence of Edmund Galley of the crime of which he was convicted at Exeter in 1836 has been established beyond all reasonable doubts; and that an humble Address be presented to Her Majesty, praying Her Majesty graciously to grant a free pardon to Edmund Galley" (*Sir Eardley Wilmot*) *v.* 1335; Question proposed, "That the words, &c.;" after long debate, Amendt. withdrawn
Amendt. to leave out from "That," and add "an humble Address be presented to Her Majesty, praying Her Majesty that she will be graciously pleased to grant a free pardon to Edmund Galley" (*Sir Eardley Wilmot*) *v.* 1368; Question proposed, "That the words, &c.;" after short debate, Question put, and negatived; words added; main Question, as amended, put and agreed to; To be presented by Privy Councillors

CROSS, Right Hon. R. A. (Secretary of State for the Home Department), *Lancashire, S. W.*
Army Discipline and Regulation, Comm. *cl.* 180, 121; Postponed *cl.* 69, 355, 374, 375, 376; *cl.* 128, 387; *add. cl.* 528, 543; Consid. *cl.* 45, 781, 792; *cl.* 127, 808
Army Discipline and Regulation—Imprisonment of Military Offenders, 1850
Army Discipline and Regulation (Commencement), Comm. *cl.* 7, 977
Artizans' and Labourers' Dwellings, 1875, 963
Banking and Joint Stock Companies, 2R. 1560
Bankruptcy Law Amendment, 2R. 597
Burials Acts—Churchyards (England), 307
Cambridge University Commissioners, 23
Criminal Law—Miscellaneous Questions
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Perryman, The Convict, 629
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Criminal Law—Case of Edmund Galley, Motion for an Address, 1350, 1351, 1365, 1366, 1368
Fisheries—Salmon Disease—Commission of Inquiry, 964
Fisheries (Scotland)—The Firth of Forth, 965
French and English Marriage Laws, 754
Game Laws Amendment (Scotland), Comm. 1941
Intemperance, 309
Law and Justice—Civil Assizes at Manchester and Liverpool, 1410, 1411
South Staffordshire Police Stipendiary Magistrate, 858
Metropolis—Parochial Charities of the City of London—Report of the Commissioners, 1706
Metropolitan Police Force—Report of the Departmental Commission, 854
Mines, Coal—Cwm Avon Colliery, Accident at, 18
Poor Law—Pauper Lunatics—Benjamin Harrison, Case of, 19

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Cross, Right Hon. R. A.—*cont.*
Prince Imperial, The Late, 26
Prisons Act, 1877—Prison Labour, 13
Scotland—University of Edinburgh—The Professor of Church History, 1843
Supply—Science and Art Department, &c. 1939, 1940
Under Secretary of State for Scotland, 857

Cruelty to Animals Bill [H.L.]
(*The Lord Truro*)
l. Moved, "That the Bill be now read 2^{a}" *July* 15, 419
Amendt. to leave out ("now,") and add ("this day three months") (*The Lord Steward*); after short debate, on Question, That ("now,") &c.; Cont. 16, Not.-Cont. 97; M. 81
Div. List, Cont. and Not-Cont., 435
Resolved in the negative; and Bill to be read 2^{a} this day three months (No. 125)

Cuba, Slavery in
Moved, That there be laid before the House, "Copies of all despatches and papers containing any communications on that subject which have passed between Her Majesty's Government or Her Majesty's Minister at Madrid and the Spanish Government, and which have not already been laid before Parliament" (*The Lord Selborne*) *July* 21, 818; after short debate, Motion withdrawn

Customs Bill of Entry Office
Question, Mr. Rylands; Answer, Sir Henry Selwin-Ibbetson *July* 21, 853

Customs, Board of—The Secretary
Question, Mr. Baxter; Answer, The Chancellor of the Exchequer *July* 10, 19

Customs Buildings Bill
(*Mr. Noel, Sir Henry Selwin-Ibbetson*)
c. Considered * *July* 10 [Bill 228]
Read 3^{o} * *July* 11
l. Read 1^{a} * (*Lord President*) *July* 14 (No. 146)
Read 2^{a} * *July* 21
Committee *; Report *July* 22
Read 3^{a} * *July* 24

Cyprus
Miscellaneous Questions
Public Works Return, Question, Mr. H. Samuelson; Answer, Mr. Bourke *July* 15, 445
Punishment of Greek Priests—The Papers, Question, Mr. Gladstone; Answer, Mr. Bourke *July* 11, 161
Slavery, Question, Observations, The Earl of Shaftesbury; Reply, The Marquess of Salisbury *July* 28, 1397
The Papers, No. 4, Question, Sir Charles W. Dilke; Answer, Mr. Bourke *July* 29, 1529

Cyprus—Administration of the Island—Civil Police Force
Questions, Mr. Shaw Lefevre, Mr. Dodson; Answers, Mr. Bourke *July* 28, 1411
Amendt. on Committee of Supply *July* 29, To leave out from "That," and add "it is inexpedient to grant a sum of £26,000 for the Cyprus Police until a report from the authorities of the Island, showing the necessity for such expenditure, and a full statement of the finances of the Island, be laid before the House" (*Mr. Shaw Lefevre*) *v.* 1563; Question proposed, "That the words, &c.;" after debate, Question put; A. 99, N. 72; M. 27 (D. L. 198)

Dalrymple, Mr. C., *Buteshire*
Army—Auxiliary Forces—Yeomanry and Volunteer Adjutants, 1707

De La Warr, Earl
Railway Returns (Continuous Brakes), 1700
Workmen's Compensation, 2R. 604, 1695, 1698

Denison, Mr. C. Beckett-, *Yorkshire, W.R., E. Div.*
Asia, Central—Russian Advance on Merv, 306
India—Afghanistan—The Ceded Districts, 310
Parliament—Public Business—Tuesdays and Wednesdays, 333
Tower High Level Bridge (Metropolis) Committee, 1113

Denison, Mr. W. E., *Nottingham*
Army Discipline and Regulation, Consid. *cl.* 45, 783

Denman, Lord
Army Discipline and Regulation, 2R. 841
Public Health Act (1875) Amendment (Interments), Comm. 8

Dilke, Sir C. W., *Chelsea, &c.*
Army Discipline and Regulation, Comm. *cl.* 166, 47; *add. cl.* Amendt. 389, 390, 398, 403, 524; Consid. *cl.* 45, Amendt. 786
Bankruptcy Law Amendment, 2R. 600
Cyprus—Papers, 1529
Cyprus—Administration of the Island—Civil Police Force, Res. 1566
Great Britain and Egypt, 849
Indian Oaths Act—Alleged Torture, 298
Metropolitan Board of Works (Water Expenses), 2R. 130
Poor Law Amendment (No. 2), 2R. 1121
Public Works Loans, 2R. 1120
School Boards (Duration of Loans), 2R. 1146
Supply—Consular Services, 1589, 1591
Diplomatic Services, 1585
Embassies and Missions Abroad, 1584
Thames River (Prevention of Floods), Lords Amendts. Consid. *cl.* 16a, 1291
Treaty of Berlin—Asiatic Provinces of Turkey, 751
Treaty of Berlin—The Congress (Unfulfilled Arrangements), Motion for an Address, 1027, 1080
Turkey—Chefket Pasha, 305

DILLWYN, Mr. L. L., *Swansea*
- Africa, South—Zulu War—Reported Submission of Cetewayo, 729
- Army Discipline and Regulation, Comm. *cl.* 166, 70, 76 ; *cl.* 167, Amendt. 92, 93 ; *add. cl.* 507 ; Consid. *cl.* 128, 812
- Artizans' Dwellings Act (1868) Extension, Comm. *cl.* 5, 412 ; *cl.* 21, 415 ; Schedule A, 417
- Bankruptcy Law Amendment, 2R. 600, 955
- Irish Church Act (1869) Amendment, Leave, 1631
- Knightsbridge and other Crown Lands, 2R. 728
- National School Teachers (Ireland), 2R. 1093
- Occupation Roads, 2R. 1276
- Parliament—Business of the House, 27, 1415
  - Public Business—Tuesdays and Wednesdays, 330
- Printing Contract with Messrs. Hansard, 24
- Public Works Loans [Advances, &c.], Comm. 1274
- School Boards (Duration of Loans), 2R. Motion for Adjournment, 1155
- Supply—Post Office Telegraph Service, 1626
- Supreme Court of Judicature Acts Amendment, Comm. *add. cl.* Amendt. 723

Dispensaries (Ireland) Bill
(*Viscount Hutchinson*)
l. Royal Assent *July* 21 [42 & 43 *Vict.* c. 25]

DODDS, Mr. J., *Stockton*
- Artizans' Dwellings Act (1868) Extension, Comm. *cl.* 21, 415
- Inland Revenue—Probate, Administration, and Legacy Duties, 613

DODSON, Right Hon. J. G., *Chester*
- Army Discipline and Regulation, Comm. *cl.* 166, 61
- Cyprus—Administration of the Island—Civil Police Force, 1411
- Parliament — Privilege — Note-taking in the Members' Side Gallery, 53
- Supply—Suez Canal, 1601
- Tower High Level Bridge (Metropolis) Committee, Petition, 1636

DUFF, Mr. M. E. G., *Elgin, &c.*
- East India Loan (Consolidated Fund), 2R. 1320
- India—North-West Frontier, 612
- Indian Museum, South Kensington, 303 ; Res. 1722, 1746
- Supply—Public Education in Scotland, Motion for Adjournment, 1973, 1978

DUFF, Mr. R. W., *Banffshire*
- Scotch Bills, 632

DUNRAVEN, Earl of
- Prince Imperial, The Late, Motion for Papers, 1826, 1839

East India Loan (Annuities) Bill
(*Mr. Edward Stanhope, Mr. Chancellor of the Exchequer, Mr. Raikes*)
c. Considered in Committee * *July* 31
Resolution reported, and agreed to ; Bill ordered ; read 1° * *August* 1 [Bill 275]

East India Loan (Consolidated Fund) Bill (*Mr. Raikes, Mr. Edward Stanhope, Mr. Chancellor of the Exchequer*)
c. Moved, "That the Bill be now read 2°" *July* 25, 1301
Amendt. to leave out from "That," and add "considering that it has been officially stated that the Afghan War was undertaken in the interests of England and India jointly, this House is of opinion that it is unjust to make India pay towards the expenses of that war more than seven times as much as will be contributed by England" (*Mr. Fawcett*) *v.* ; Question proposed, "That the words, &c. ;" after debate, Question put ; A. 137, N. 125 ; M. 12 (D. L. 194)
Main Question put, and agreed to ; Bill read 2°
Committee ; Report *July* 28, 1512 [Bill 201]
Considered * *July* 30
Read 3° * *July* 31
l. Read 1ª * (*Viscount Cranbrook*) *August* 1 (No. 172)

East India Loan (£5,000,000) Bill
(*Mr. Raikes, Mr. Edward Stanhope, Mr. Chancellor of the Exchequer*)
c. Order for Committee read ; Moved, "That Mr. Speaker do now leave the Chair" *July* 25, 1334 ; after short debate, Debate adjourned till this day [Bill 197]

East India Railway (Redemption of Annuities) Bill
(*Mr. Edward Stanhope, Lord George Hamilton*)
c. Ordered ; read 1° * *July* 14 [Bill 244]
Read 2° * *July* 17
Committee * ; Report *July* 21
Read 3° * *July* 22
l. Read 1ª * (*Viscount Cranbrook*) *July* 23
Read 2ª * *July* 28 (No. 160)

Education Department
- *Elementary Education — Establishment of Training Ships*, Question, Captain Pim ; Answer, Sir Matthew White Ridley *July* 21, 847
- *Elementary Education Act—Horley School Board*, Question, Mr. Richard ; Answer, Lord George Hamilton *July* 17, 617
- *Salaries of Schoolmasters*, Question, Sir George Jenkinson ; Answer, Lord George Hamilton *July* 17, 619
- *The Abbey Parish Board, Paisley, and School Fees*, Question, Mr. Biggar ; Answer, The Lord Advocate *July* 29, 1528

Education Code—Elementary Science
Amendt. on Committee of Supply *July* 30, To leave out from "That," and add "it would be desirable to modify the Code of Education by adding Elementary Science to the subjects mentioned in Article 19, c. 1" (*Sir John Lubbock*) *v.* 1639 ; Question proposed, "That the words, &c. ;" after debate, Question put ; A. 80, N. 48 ; M. 32 (D. L. 199)

Egerton, Hon. A. F. (Secretary to the Board of Admiralty), *Lancashire, S.E.*
  Coastguard, 1769
  Navy Estimates—Admiralty Office, 1774
    Dockyards, &c. 1807
    Seamen and Marines, 1770

Egerton, Hon. Wilbraham, *Cheshire, Mid.*
  Agricultural Distress Commission — Indian Wheat, 615
  Indian Museum, South Kensington, 614; Res. 1734

Egypt
  Question, Sir Charles W. Dilke; Answer, The Chancellor of the Exchequer *July* 21, 849
  Egyptian Affairs, Questions, Sir Julian Goldsmid, Mr. Goschen; Answers, The Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson *July* 25, 1300
  Nubar Pasha, Questions, Mr. Otway; Answers, Mr. Bourke *July* 10, 25; Question, Mr. E. Jenkins; Answer, Mr. Bourke *July* 15, 445
  The Papers, Questions, Mr. Otway, Sir Julian Goldsmid; Answers, Mr. Bourke, The Chancellor of the Exchequer *August* 1, 1847

Elcho, Lord, *Haddingtonshire*
  Army Discipline and Regulation, Comm. *cl.* 167, 89, 100
  Army Estimates—Army Reserve, 2003, 2004, 2008
  Indian Museum, Res. 1746

Ellenborough, Lord
  Army Organization — Short Service — Zulu Campaign, 1284

Elliot, Mr. G. W., *Northallerton*
  Army Discipline and Regulation, Comm. *add. cl.* 397
  Parliamentary Franchise, 2R. Bill withdrawn, 1145

Emly, Lord
  University Education (Ireland), Report, 283, 290; 3R. 443

Employers' Liability Bill
(*Mr. Attorney General, Mr. Solicitor General, The Lord Advocate, Mr. Attorney General for Ireland*)
c. Bill withdrawn * *July* 30 [Bill 103]

Endowed Schools Acts Continuance Bill
(*Lord George Hamilton, Mr. Chancellor of the Exchequer*)
c. Question, Sir Ughtred Kay-Shuttleworth; Answer, Lord George Hamilton *July* 10, 19
  Ordered; read 1° * *July* 30 [Bill 272]

Enfield, Viscount
  Royal Horticultural Society, 10

Errington, Mr. G., *Longford Co.*
  Ireland—Coroners, 848
    General Prisons Act—Surgeons, 14
  Ireland—Training of Teachers in Elementary Schools, Res. 259
  Supply—Public Works in Ireland, 1456
    Science and Art Department, &c. Amendt. 1932
    Superintendence of Prisons, &c. in Ireland, Amendt. 929, 940, 944, 946

Evans, Mr. T. W., *Derbyshire, S.*
  Army Discipline and Regulation, Comm. *cl.* 167, 94, 96
  University Education (Ireland) (No. 2), 2R. 1264

Exchequer, Chancellor of the (*see* Chancellor of the Exchequer)

Exhibition Commissioners of 1851, *v. The Royal Horticultural Society*
  Observations, Questions, Viscount Enfield; Answer, Earl Granville *July* 10, 10; Questions, Mr. J. R. Yorke; Answers, The Chancellor of the Exchequer 12; *July* 21, 853; Question, Sir Trevor Lawrence; Answer, The Chancellor of the Exchequer *July* 28, 1407

Expiring Laws Continuance Bill
(*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*)
c. Questions, Major Nolan, Mr. Callan; Answers, Mr. J. Lowther, Sir Henry Selwin-Ibbetson *August* 2, 1945
  Ordered; read 1° * *August* 2 [Bill 279]

Fawcett, Mr. H., *Hackney*
  Africa, South—Zulu War—Expenses, 1523
  Artizans' and Labourers' Dwellings Act, 1875 —Cost of Metropolitan Improvements, 302, 962, 963, 1708
  East India Loan (Consolidated Fund), 2R. Amendt. 1306; Comm. 1512; *cl.* 2, 1515
  India—Maharajah Dhuleep Singh, 1169, 1408, 1409
  Indian Museum, Res. 1735
  Parliament — Business of the House, 1712, 1851
  University Education (Ireland)—Alleged Proposal of the Government, 630
  University Education (Ireland) (No. 2), 2R. 1232, 1248, 1266

Fisheries—Salmon Disease—Commission of Inquiry
  Question, Captain Milne-Home; Answer, Mr. Assheton Cross *July* 22, 964

Fitzmaurice, Lord E. G., *Calne*
  Education Code — Elementary Science, Res. 1641

Forster, Right Hon. W. E., *Bradford*
Africa, South—Administration of Native Affairs, 1889
Zulu War—Telegram, 758
Agricultural Distress — Royal Commission, 1709
Army Discipline and Regulation — Corporal Punishment, Notice of Res. 602
Banking and Joint Stock Companies, 2R. 1557
Bankruptcy Law Amendment, 2R. 597
Education Code—Elementary Science, Res. 1652
Indian Museum, Res. 1739
Law and Justice—South Staffordshire Police Stipendiary Magistrate, 858
Parliament—Arrangement of Business, 1181
Business of the House, 1535
Public Works Loans, 2R. 1119
School Boards (Duration of Loans), 2R. 1149
Supply—Education, England and Wales, 1692
Tower High Level Bridge (Metropolis) Committee, 1101, 1108; Petition, 1634
University Education (Ireland) (No. 2), 2R. 1267

Fortescue, Earl
Army Organization — Short Service — Zulu Campaign, 1289
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India—Suchait Singh—The Chumba Succession
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Judicial Factors (Scotland) Bill
(*Mr. Ramsay, Mr. Baxter, Sir Graham Montgomery, Mr. Dalrymple*)
c. Ordered; read 1° * *July* 23 [Bill 257]
  Read 2° * *July* 30

Kavanagh, Mr. A. M., *Carlow Co.*
  University Education (Ireland) (No. 2), 2R. 1212

Kay-Shuttleworth, Sir U. J., *Hastings*
  Endowed Schools Acts Continuance, 19

Kenealy, Dr. E. V., *Stoke-upon-Trent*
  Army Discipline and Regulation, Comm. *add. cl.* 494
  Criminal Law—Queen *v.* Orton, 554, 555, 756
  Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 201
  Supreme Court of Judicature—Officers' Salaries, 446, 447

Kimberley, Earl of
  Africa, South—Telegram, 731
  Public Health Act (1875) Amendment (Interments), Comm. Amendt. 2, 5; 3R. 440

Knatchbull-Hugessen, Right Hon. E. H., *Sandwich*
  Africa, South—Zulu War—Victory at Ulundi—Telegrams, 1137
  Navy—Royal Marines—Sergeants, 1524
  Tower High Level Bridge (Metropolis) Committee, 1102, 1113

Knightsbridge and other Crown Lands Bill (*Mr. Noel, Mr. Secretary Stanley*)
c. Read 2°, and committed to a Select Committee, after short debate *July* 17, 728 [Bill 231]
  Committee nominated *July* 18; List of the Committee, 729
  Report of Select Comm * *July* 24
  Committee * (*on re-comm.*); Report *July* 25
  Read 3° * *July* 28 [Bill 258]
l. Read 1a * (*Lord President*) *July* 29 (No. 166)

Laing, Mr. S., *Orkney, &c.*
  Banking and Joint Stock Companies, 2R. 1019
  East India Loan (Consolidated Fund), 2R. 1313

Land Tax Commissioners' Names Bill
(*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*)
c. Committee *; Report *July* 31 [Bill 109]
  Read 3° * *August* 1

Lansdowne, Marquess of
  Army Organization—Short Service—Zulu Campaign, 1284, 1285

Law and Justice
  Appointment of the South Staffordshire Police Stipendiary Magistrate, Question, Sir Charles Forster; Answer, Mr. Assheton Cross *July* 21, 858
  Civil Assizes at Manchester and Liverpool, Questions, Mr. Rathbone; Answers, Mr. Assheton Cross *July* 28, 1409

Law of Succession in Mahomedan States
  Questions, Sir H. Drummond Wolff; Answers, Mr. Bourke, Mr. E. Stanhope *July* 17, 626

Lawrence, Sir J. J. T., *Surrey, Mid.*
  Exhibition Commissioners of 1851 and the Royal Horticultural Society, 1407

Lawson, Sir W., *Carlisle*
  Africa, South—Zulu War—Newspaper Correspondents, 1534
  Criminal Law—Poisoning by Alcohol, 300
  Despatch, No. 4 (Legislative) India—Opinions upon and Correspondence, 750
  National School Teachers (Ireland), 2R. 1093
  Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 243
  Tower High Level Bridge (Metropolis) Committee, Petition, 1637
  University Education (Ireland) (No. 2), 2R. Motion for Adjournment, 1263, 1272

Lechmere, Sir E., *Worcestershire, W.*
  Bankruptcy Law Amendment, 2R. 600

Leeman, Mr. G., *York*
  Artizans' Dwellings Act (1868) Extension, Comm. *cl.* 20, 414; *cl.* 22, Motion for reporting Progress, 416
  Metropolitan Board of Works (Water Expenses), 2R. 129, 130

Lefevre, Mr. G. J. Shaw, *Reading*
  Congress of Berlin (Unfulfilled Arrangements), Motion for an Address, 1037
  Cyprus—Administration of the Island—Civil Police Force, 1411; Res. 1563
  Egyptian Affairs, 1300
  Navy Estimates—Dockyards, &c. 1803, 1817
    Miscellaneous Services, 1931, 1932
    Scientific Branch, 1788, 1795
  School Boards (Duration of Loans), 2R. 1152
  Supply—Science and Art Department, &c. 1939

Leighton, Sir B., *Shropshire, S.*
  Education Code—Elementary Science, Res. 1647
  Parliament—Privilege—Note-taking in the Members' Side Gallery, Res. 248

Leighton, Mr. S., *Shropshire, N.*
  Army—Auxiliary Forces—Volunteers under Canvas, 15

Lewis, Mr. C. E., *Londonderry*
  Banking and Joint Stock Companies, 2R. 1545
  Supply—Public Education, Ireland, 1989

Lindsay, Colonel R. J. Loyd (Financial Secretary for War), *Berkshire*
  Army—Auxiliary Forces—Yeomanry and Volunteer Adjutants, 1707
  Army Discipline and Regulation, Comm. *cl.* 167, 94
  Army Estimates—Army Reserve, 2000, 2010, 2011, 2013, 2015
    Commissariat, Transport, &c., Motion for reporting Progress, 2018
  Prince Imperial, The Late, 1297

Lloyd, Mr. M., *Beaumaris*
  Army Discipline and Regulation, Consid. *cl.* 45, 781
  Bankruptcy Law Amendment, 2R. 722

Lloyd, Mr. S. S., *Plymouth*
  Bankruptcy Law Amendment, 2R. 583
  Navy—Navigating Officers, 755
  Post Office (Contracts)—Australian Mails, 753

Local Courts of Bankruptcy (Ireland) Bill [H.L.]
  (*Mr. Attorney General for Ireland*)
c. Moved, "That the Bill be now read 2°" *July* 23, 1123
  Amendt. to leave out "now," and add "upon this day three months" (*Mr. Meldon*); Question proposed, "That 'now,' &c.;" after short debate, Amendt. withdrawn
  Main Question put, and agreed to; Bill read 2° [Bill 146]

Local Courts of Bankruptcy (Ireland) [*Salaries, &c.*]
  Considered in Committee *July* 28, 1516; after short debate, Resolution agreed to
  Resolution reported * *July* 29

Local Government Provisional Orders (Artizans' and Labourers' Dwellings) Bill (*The Lord President*)
l. Royal Assent *July* 21 [42 & 43 *Vict.* c. clviii]

Longford, Earl of
  Army Discipline and Regulation, 2R. 840
  Metropolitan and Metropolitan District Railway Companies, 3R. 733, 957

Lopes, Sir M., *Devonshire, S.*
  Navy Estimates—Scientific Branch, 1797

Lord Clerk Register (Scotland) Bill
  (*The Lord Advocate, Mr. Secretary Cross*)
c. Committee; Report *July* 22, 1025 [Bill 196]
  Considered * *July* 24
  Read 3° * *July* 25
l. Read 1ª * (*Lord Steward*) *July* 28 (No. 164)
  Read 2ª * *August* 1

Lough Erne and River (Continuance) Bill
(*Sir Henry Selwin-Ibbetson, Mr. James Lowther*)
c. Ordered; read 1° * *July* 29 [Bill 267]

Lowe, Right Hon. R., *London University*
  Criminal Law—Case of Edmund Galley, Motion for an Address, 1342

Lowther, Right Hon. J. (Chief Secretary for Ireland), *York City*
  Expiring Laws Continuance, 1945
  Ireland—Miscellaneous Questions
    Colorado Beetle, Reported Appearance of, 1372
    Crime—Constabulary Expenses, 1412, 1413
    Criminal Law—Ann Bradley, Release of, 618, 619, 850, 851
    Donegal Fisheries—Correspondence, 618
    Education Act—Assistant Teachers, 311
    General Prisons Act—Surgeons, 14
    Grand Juries, 27
    Irish Returns, The Delayed, 304
    Lunacy and Poor Law Administration—Commission of Inquiry, 1845
    Municipal Elections, 17
    Orange Celebration Dinner in Gorey, 1174
    Peace Preservation Act—Special Police Taxes, 758, 759
    Phœnix Park, 1943, 1944
    Prisons Act—Patrick Grimes, Case of, 17, 18
    Reproductive Loan Fund—Loans to Clare Fishermen, 1844
    Royal Constabulary, 311;—The Town Inspector of Belfast, 161, 750;—Charge against an Officer, 1944
    University Education—Alleged Proposal of the Government, 630, 631
    Vaccination Acts Amendment, 1846
  Ireland—Training of Teachers in Elementary Schools, Res. 267
  Municipal Elections (Ireland), Comm. 1627
  National School Teachers (Ireland), 2R. 1090, 1095

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Lowther, Right Hon. J.—cont.
- Public Health (Ireland) Act (1878) Amendment, Comm. Motion for Adjournment, 1140, 1141; *add. cl. ib.* 1145
- Registry Courts (Ireland) (Practice), Comm. 2026
- School Boards (Duration of Loans), 2R. 1151
- Supply—Charitable and other Allowances, Ireland, 1614
  - Constabulary Force in Ireland, 861, 863, 875, 888, 892, 907, 911, 912, 915, 916, 921, 923, 927
  - Dublin Metropolitan Police, 954
  - High Court of Justice in Ireland, 1497
  - Hospitals and Infirmaries in Ireland, 1380, 1381, 1383, 1384, 1388, 1605, 1606, 1607
  - Local Government Board in Ireland, &c. 1420, 1427, 1434, 1435, 1438, 1442, 1444
  - Pauper Lunatics, Ireland, 1380
  - Public Education, Ireland, 1987, 1990, 1994, 1996
  - Reformatory and Industrial Schools, Ireland, 951
  - Superintendence of Prisons, &c. in Ireland, 928, 940, 946, 949, 1501, 1504, 1505, 1507, 1508, 1509, 1511, 1512
- University Education (Ireland) (No. 2), 2R. 1182, 1241, 1254

Lubbock, Sir J., *Maidstone*
- Banking and Joint Stock Companies, 2R. 1015
- East India Loan (Consolidated Fund), 2R. 1310
- Education Code—Elementary Science, Res. 1639, 1641
- Indian Museum, Res. 1744
- Parliament—Public Business—Tuesdays and Wednesdays, 329
- Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 234
- Prisons Act, 1877—Prison Labour, 13
- Supply—Suez Canal, 1599, 1600

Lunacy Laws, The—Legislation
- Question, Lord Aberdare; Answer, The Lord Chancellor *July* 31, 1695

Lusk, Sir A., *Finsbury*
- Banking and Joint Stock Companies, 2R. 1547
- Supply—Constabulary Force in Ireland, 912, 913

McArthur, Mr. A., *Leicester*
- Africa, South—Administration of Native Affairs, 1876
- Germany—Islands of the Pacific, 854
- School Boards (Duration of Loans), 2R. 1155

Macartney, Mr. J. W. E., *Tyrone*
- Army Discipline and Regulation, Comm. *add. cl.* 485
- Ireland—Training of Teachers in Elementary Schools, Res. 264
- Judicature Act (Ireland) 1877—Re-organization of the High Court of Judicature, 846
- Lunacy and Poor Law Administration (Ireland) —Commission of Inquiry, 1845

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Macartney, Mr. J. W. E.—*cont.*
- Supply—Constabulary Force in Ireland, 877, 879
  - High Court of Justice in Ireland, 1499
  - Hospitals and Infirmaries in Ireland, 1612
  - Superintendence of Prisons, &c. in Ireland, 939

MacCarthy, Mr. J., *Longford*
- Africa, South—Administration of Native Affairs, 1874
- Malta (Cost of Police, &c.), Res. 1913
- Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 207
- Supply—High Court of Justice in Ireland, 1490
  - Superintendence of Prisons, &c. in Ireland, 939

MacDonald, Mr. A., *Stafford*
- Army Discipline and Regulation, Comm. *cl.* 167, 96; *add. cl.* 502; Consid. 785; *cl.* 45, 793
- Criminal Law—Ambrose Pentney, Conviction of, 624
- Mines, Coal—Cwm Avon Colliery, Accident at, 18
- Morocco, 1942
- Naval Discipline—Punishment, 1846
- Navy—Sentence on a Seaman at Sheerness, 968, 1704, 1705
- Navy Estimates—Admiralty Office, 1779; Motion for reporting Progress, 1780
- Railway Brakes, 1177
- Railways—Automatic Brakes, 24
- Supply—Public Education in Scotland, 1983

Mackintosh, Mr. C. **Fraser-**, *Inverness, &c.*
- Banking and Joint Stock Companies, 2R. Amendt. 985
- Scotch Society for Promoting Christian Knowledge, 1671

Mac Iver, Mr. D., *Birkenhead*
- Malta (Cost of Police, &c.), Res. 1906, 1909
- Shipping Casualties Investigations Re-hearing —Amendments, 1850

McKenna, Sir J. N., *Youghal*
- Army Discipline and Regulation, Comm. *add. cl.* 521
- Banking and Joint Stock Companies, 2R. 992, 1712
- Bankruptcy Law Amendment, 2R. 587
- Criminal Law—Case of Edmund Galley, Motion for an Address, 1340
- Great Northern Railway (Ireland), Consid. 748
- Parliament—Business of the House, 27, 1713
- Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 192
- Supply—Constabulary Force in Ireland, 868
- Tower High Level Bridge (Metropolis) Committee—Petition, 1638
- University Education (Ireland) (No. 2), 2R. 1261, 1267

McLaren, Mr. D., *Edinburgh*
- Banking and Joint Stock Companies, 2R. 1002
- Lord Clerk Register (Scotland), Comm. *add. cl.* 1026
- Navy Estimates, Miscellaneous Services, 1896
- Parliamentary Representation—Representation of Scotland, 1702
- School Boards (Duration of Loans), 2R. 1153
- Scotland—Scotch Society for Promoting Christian Knowledge, 1661
  - University of Edinburgh—The Professor of Church History, 1842, 1843

Maitland, Mr. J., *Kirkcudbrightshire*
- University Education (Ireland) (No. 2), 2R. 1224

Makins, Lieut.-Colonel W. T., *Essex, S.*
- Artizans' Dwellings Act (1868) Extension, Comm. Schedule A, 418
- Metropolitan Board of Works (Water Expenses), 2R. 132

Malta (Cost of Police, &c.)
- Amendt. on Committee of Supply *August* 1, To leave out from "That," and add "in the opinion of this House, the cost of maintaining the Police, and of draining, repairing, lighting, cleaning, and watering the streets, &c. in Malta, should be paid out of a rate upon house and other property (upon which, at present, no rates or taxes of any kind whatever are levied), and not, inter alia, out of a tax upon wheat and other grain for food, and upon potatoes and other vegetables, which, as a matter of fact, actually takes more per head from the very poor who live in cellars than it takes per head from those who live in the best houses in the streets and squares; and the House is therefore further of opinion that it is the duty of Her Majesty's Government to take such steps as may be necessary to secure the abolition of the taxes on food in Malta on and from the 1st day of January 1881" (*Mr. Plimsoll*) *v.*, 1898; Question proposed, "That the words, &c.;" after debate, Question put; A. 120, N. 62; M. 58 (D. L. 201)

Manners, Right Hon. Lord J. J. R. (Postmaster General), *Leicestershire, N.*
- Army Discipline and Regulation, Comm. *cl.* 166, 62, 79, 80
- Copyright (No. 2), 619; Comm. 1628
- Post Office—Miscellaneous Questions
  - Contracts—Australian Mails, 754;—Peninsular and Oriental Steam Navigation Company, 21
  - Ireland—Belfast Post Office, 970
  - Telegraph Clerks (Dublin), 1710
  - Telegraph Department—Female Clerks, 628
- Supply—Post Office Services, &c. 1616, 1618, 1621, 1623, 1998
  - Post Office Telegraph Service, 1626
  - Savings Banks and Friendly Societies Deficiency, 1612

Marriage Laws, French and English
- Question, Mr. Hardcastle; Answer, Mr. Assheton Cross *July* 18, 754

Marriages Confirmation (Her Majesty's Ships) Bill (*The Lord President*)
- *l.* Read 2ª* *July* 14 (No. 124)
- Committee*; Report *July* 15
- Read 3ª* *July* 17
- Royal Assent *July* 21 [42 & 43 *Vict.* c. 29]

Marten, Mr. A. G., *Cambridge*
- Bankruptcy Law Amendment, 2R. 598
- Criminal Law—Case of Edmund Galley, Motion for an Address, 1345
- Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 237

Martin, Mr. P., *Kilkenny Co.*
- Agricultural Depression (Ireland), 1374
- Army Discipline and Regulation, Comm. Postponed *cl.* 87, 381
- Education (Ireland) Act—Assistant Teachers, 310
- Supply—High Court of Justice in Ireland, 1487
  - Hospitals and Infirmaries in Ireland, 1381, 1384, 1387, 1611, 1612
  - Local Government Board in Ireland, &c. 1422
  - Pauper Lunatics, Scotland, 1379
  - Public Works in Ireland, 1457
  - Superintendence of Prisons, &c. in Ireland, 1511

Medical Act (1858) Amendment Bill
(*Dr. Lush, Sir Trevor Lawrence, Sir Joseph M'Kenna*)
- *c.* Report* *July* 29 [Bill 2]

Medical Act (1858) Amendment (No. 2) Bill
(*Mr. Arthur Mills, Mr. Childers, Mr. Goldney*)
- *c.* Report* *July* 29 [Bill 86]

Medical Act (1858) Amendment (No. 3) Bill [H.L.]
- *c.* Special Report of Select Comm.* *July* 29 [No. 320]
- Report* *July* 29 [Bill 121]

Medical Appointments Qualification Bill
(*Mr. Errington, Mr. Blennerhassett*)
- *c.* Bill reported* *July* 29 [Bill 62]

Meldon, Mr. C. H., *Kildare*
- Criminal Law—Case of Edmund Galley, Motion for an Address, 1367
- Local Courts of Bankruptcy (Ireland), 2R. Amendt. 1124, 1125, 1136
- Local Courts of Bankruptcy (Ireland) [Salaries, &c.], Comm. 1517
- National School Teachers (Ireland), 2R. 1091
- Public Health (Ireland) Act (1878) Amendment, Comm. 1141; *add. cl. ib.*, 1143, 1145
- Supply—Constabulary Force in Ireland, 892; Amendt. 897
  - Dublin Metropolitan Police, 954
  - Hospitals and Infirmaries in Ireland, 1386, 1387

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MELDON, Mr. C. H.—*cont.*
  Local Government Board in Ireland, &c. 1433, 1437
  Post Office Services, &c. 1619, 1623
  Registry Deeds (Ireland), 952, 953
  Savings Banks and Friendly Societies, Fund for, 1392, 1393, 1394
  Superintendence of Prisons, &c. in Ireland, 933, 945, 947, 1510, 1511

Mercantile Marine
  Black Sea — Surveyors of Vessels in the, Question, Mr. Anderson; Answer, Viscount Sandon *July* 17, 613
  Wreck of the "State of Louisiana" on the Hunter's Rock, Larne, Question, Sir James M'Garel-Hogg; Answer, Viscount Sandon *July* 14, 304

Merchant Seamen—Legislation
  Question, Mr. Burt; Answer, Viscount Sandon *July* 24, 1171

Merchant Shipping — Explosives Act, 1875
  Question, Observations, Lord Truro; Reply, Lord Henniker *August* 1, 1839

Merchant Shipping Acts
  Inspection of Emigrant Ships, Question, Mr. Evelyn Ashley; Answer, Viscount Sandon *July* 10, 14
  Passenger Steamers, Question, Sir William Fraser; Answer, Mr. J. G. Talbot *July* 29, 1525

METROPOLIS
  MISCELLANEOUS QUESTIONS
  Educational Endowments, Question, Mr. E. Jenkins; Answer, Lord George Hamilton *July* 18, 752; Questions, Mr. E. Jenkins, Mr. A. Mills; Answers, Mr. Speaker, Lord George Hamilton *July* 31, 1703
  Parochial Charities of the City of London—Report of the Commissioners, Question, Mr. W. H. James; Answers, Mr. Assheton Cross, Mr. Arthur Peel *July* 31, 1706

Metropolis—Dangers of the Streets
  Moved, "That in view of the enormous increase in the number of persons injured by the passage of vehicles in the streets during the year 1878 as compared notably with that of 1877 and the years preceding it, Her Majesty's Secretary of State for the Home Department be instructed to move the vestries of the several parishes of the Metropolis to erect central refuges in all such places as in the opinion of the superintendent of the police such shall be required for the protection of those passing on foot" (*Viscount Templetown*) *July* 22, 960; after short debate, Motion withdrawn

Metropolitan and Metropolitan District Railways Companies Bill
  l. 3R. Postponed, after short debate *July* 18, 732
  Read 3ª *July* 22, 957; after short debate, Bill passed

Metropolitan Board of Works (Money) Bill (*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*)
  c. Motion for Leave (*Sir Henry Selwin-Ibbetson*) *July* 24, 1276; after short debate, 1° deferred
  Ordered; read 1°* *July* 29 [Bill 268]

Metropolitan Board of Works (Water Expenses) Bill
(*Sir James M'Garel-Hogg, Sir Charles W. Dilke, Mr. Rodwell*)
  c. Moved, "That the Bill be now read 2°" *July* 10, 122
  Amendt. to leave out from "That," and add "in the opinion of this House, no justification is shown in this Bill for the large expenses incurred by the Metropolitan Board of Works in the preparation and in the abortive promotion of the two Bills for which they ask an indemnity from Parliament" (*Mr. Monk*) *v.*; Question proposed, "That the words, &c.;" after short debate, Question put; A. 37, N. 12; M. 25 (D. L. 158)
  Main Question put, and agreed to; Bill read 2° [Bill 204]

Metropolitan Police Force, The—Report of the Departmental Committee
  Question, Sir Sydney Waterlow; Answer, Mr. Assheton Cross *July* 21, 854

Metropolitan Public Carriage Act Amendment Bill [H.L.]
  c. Read 1°* *August* 1 [Bill 276]

MILBANK, Mr. F. A., *Yorkshire, N.R.*
  Army Discipline and Regulation, Consid. *cl.* 45, 792

MILLS, Mr. A., *Exeter*
  Africa, South — Administration of Native Affairs, 1893
  Criminal Law—Case of Edmund Galley, Motion for an Address, 1341
  Educational Endowments (Metropolis), 1703

Minister of Commerce and Agriculture
  Question, Mr. W. Holms; Answer, The Chancellor of the Exchequer *July* 31, 1703

MONK, Mr. C. J., *Gloucester City*
  Army Discipline and Regulation, Comm. Postponed *cl.* 69, 366; Consid. *cl.* 45, 781
  Artizans' Dwellings Act (1868) Extension, Comm. 409; *cl.* 5, Amendt. 412
  Congress of Berlin (Unfulfilled Arrangements), Motion for an Address, Motion for Adjournment, 1090
  Knightsbridge and other Crown Lands, 2R. 728
  Metropolitan Board of Works (Money), Leave, 1276, 1277
  Metropolitan Board of Works (Water Expenses), 2R. Amendt. 123, 127, 132
  National School Teachers (Ireland), 2R. 1091
[*cont.*

Monk, Mr. C. J.—*cont.*
- Parliament — Privilege — Omission from the Votes and Proceedings of the House, Explanation, 1533
- Supply—Savings Banks and Friendly Societies, Fund for, 1393, 1395
- Supreme Court of Judicature Acts Amendment, Comm. *add. cl.* 727
- Tower High Level Bridge (Metropolis) Committee—Petition, 1635

Montgomery, Sir G. G., *Peeblesshire*
- Banking and Joint Stock Companies, 2R. 1548
- National School Teachers (Ireland), 2R. 1093
- Scotch Society for Promoting Christian Knowledge, 1672

Moore, Mr. A. J., *Clonmel*
- Africa, South — Zulu War — Supplementary Estimate, 612
- Navy Estimates—Admiralty Office, 1776, 1778, 1779, 1780, 1785
  - Coastguard Service, &c. 1787
  - Dockyards, &c. Motion for reporting Progress, 1818
  - Miscellaneous Services, Amendt. 1895, 1919, 1925, 1931
- Scotch and Irish Universities Votes, 1945; Motion for Adjournment, 1946, 1948
- Supply—Constabulary Force in Ireland, 888
  - Hospitals and Infirmaries in Ireland, 1380, 1382, 1384, 1386, 1605, 1607, 1610
  - Law Charges, Ireland, 1476
  - Local Government Board in Ireland, &c. 1419, 1421, 1435
  - Pauper Lunatics, England, 1378
  - Public Works in Ireland, 1456
  - Reformatory and Industrial Schools, 952
  - Superintendence of Prisons, &c. in Ireland, 949

Morgan, Mr. G. Osborne, *Denbighshire*
- Army Discipline and Regulation, Comm. *add. cl.* 477
- Bankruptcy Law Amendment, 2R. 580, 601
- Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 231

Morley, Mr. S., *Bristol*
- Bankruptcy Law Amendment, 2R. 600, 601

Morocco
- Question, Mr. Macdonald; Answer, The Chancellor of the Exchequer *August* 2, 1942

Mundella, Mr. A. J., *Sheffield*
- Army Clothing Establishment, Pimlico, 856
- Army Discipline and Regulation, Comm. *add. cl.* 472, 476; Consid. 660, 664, 665
- Banking and Joint Stock Companies, 2R. 1018
- Bankruptcy Law Amendment, 2R. 599
- Parliament—Arrangement of Business, 1180
- Poor Law—Pauper Lunatics—Case of Benjamin Harrison, 19
- Russia—Treatment of Russian Convicts—Deportation to Saghalien, 1405

Mungret Agricultural School, &c. Bill
(*Mr. O'Shaughnessy, Mr. Synan, Mr. Gabbett*)
c. Read 2° * *July* 28 [Bill 213]
Committee *; Report *August* 1
Considered * *August* 2

Municipal Elections (Ireland) Bill
(*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Ordered; read 1° * *July* 23 [Bill 256]
Read 2° * *July* 28
Committee; Report *July* 29, 1627
Read 3° * *July* 30
l. Read 1ª * (*Lord President*) *July* 31 (No. 169)

Muntz, Mr. P. H., *Birmingham*
- Army Discipline and Regulation, Comm. *add. cl.* 528
- Banking and Joint Stock Companies, 2R. 1552, 1711
- Bankruptcy Law Amendment, 2R. 591
- Criminal Law—Case of Edmund Galley, Motion for an Address, 1341

Mure, Colonel W., *Renfrew*
- Army—Commissariat Officers—The Warrant, 1846
  - Desertion and Fraudulent Enlistment, 20
- Army Discipline and Regulation, Comm. *cl.* 173, 114; *cl.* 180, 121; *add. cl.* 391, 392, 403, 405, 406, 464
- Army Estimates—Army Reserve, 2004, 2009, 2010, 2011, 2013, 2014, 2015, 2017

Murphy, Mr. N. D., *Cork City*
- Clerks of the Crown (Ireland)—Repayment of Advances, 308
- Local Courts of Bankruptcy (Ireland), 2R. 1130

National School Teachers (Ireland) Bill
(*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Ordered; read 1° * *July* 15 [Bill 246]
Moved, "That the Bill be now read 2°" *July* 22, 1090; Moved, "That the Debate be now adjourned" (*Mr. Courtney*); after short debate, Question put; A. 4, N. 43; M. 39 (D. L. 191)
Main Question put, and agreed to; Bill read 2°

National School Teachers (Ireland) [Repayment of Advances]
c. Considered in Committee *July* 28, 1517; Committee—R.P.
Resolution agreed to *July* 29, 1628
Resolution reported * *July* 30

Naval Discipline Bill
- *Punishment*, Question, Mr. Macdonald; Answer, Mr. W. H. Smith *August* 1, 1846

NAVY

MISCELLANEOUS QUESTIONS

British Columbia—Esquimalt Dock, Question, Colonel Arbuthnot; Answer, Mr. W. H. Smith *July* 24, 1170; Questions, Colonel Arbuthnot, Mr. Childers; Answers, Mr. W. H. Smith *July* 31, 1711
Flogging in the Navy, Questions, Mr. Anderson; Answers, Mr. W. H. Smith *July* 28, 1414; *July* 31, 1709
Greenwich and Merchant Seamen's Hospital, Question, Mr. Fry; Answer, Viscount Sandon *July* 24, 1169; Question, Mr. Gourley; Answer, Mr. W. H. Smith, 1179
Greenwich Hospital Pension Fund, Question, Mr. Gourley; Answer, Mr. W. H. Smith *July* 23, 1098
H.M. Gunboat "Tyrian," Question, Colonel Colthurst; Answer, Mr. W. H. Smith *July* 21, 846
H.M.S. "Warrior," Question, Mr. Biggar; Answer, Mr. W. H. Smith *July* 18, 753
Marine Officers, Question, Mr. Anderson; Answer, Mr. W. H. Smith *July* 28, 1405
Navigating Officers, Question, Mr. Sampson Lloyd; Answer, Mr. W. H. Smith *July* 18, 755
Pensions to Widows and Orphans of Seamen and Marines, Observations, Captain Price; debate thereon *July* 31, 1755
Professional Officers in the Dockyards, Observations, Mr. T. Brassey *July* 31, 1747
Sentence on a Seaman at Sheerness, Questions, Mr. Macdonald; Answers, Mr. W. H. Smith *July* 22, 968; *July* 31, 1704
The Coastguard, Observations, Captain Pim; Replies, Mr. A. F. Egerton, Mr. W. H. Smith *July* 31, 1769
The Royal Marines—Sergeants, Question, Mr. Knatchbull-Hugessen; Answer, Mr. W. H. Smith *July* 29, 1524
The Whampoa Dock Company, Question, Colonel Arbuthnot; Answer, Mr. W. H. Smith *July* 21, 847

Navy—Naval and Military Forces—Corporal Punishment
Moved, "That an humble Address be presented to Her Majesty for Return of the number of persons in Her Majesty's Naval and Military forces who have been punished by flogging during the five years ending the 31st of December, 1878; the Return to state the number of lashes in each case and the crime for which the punishment was inflicted" (*The Duke of Buccleuch*) *July* 29, 1522; Motion amended, by substituting "ten" years for "five;" Motion, as amended, agreed to

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Agricultural Commission—Commissioners, 630, 1178
Army Discipline and Regulation, Consid. *cl.* 45, 783
Parliament — Public Business — Tuesdays and Wednesdays, 328
Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 193
University Education (Ireland) (No. 2), 2R. 1197

New Forest Act (1877) Amendment Bill
(*Mr. Sclater-Booth, Sir Henry Selwin-Ibbetson*)
c. Report of Select Comm.* *July* 10
Committee* (*on re-comm.*); Report *July* 11
Read 3°* *July* 14 [Bill 210]
l. Read 1ª* (*Lord President*) *July* 15 (No. 149)
Read 2ª* *July* 24
Report* *July* 29
Committee*; Report *July* 31
Read 3ª* *August* 1

NOEL, Right Hon. G. J. (Chief Commissioner of Works), *Rutland*
Knightsbridge and other Crown Lands, 2R. 728, 729
Natural History Museum, South Kensington, 1658, 1660, 1661
Ordnance Survey, 851

NOLAN, Major J. P., *Galway Co.*
Army—New Retirement Scheme, 855
Army Discipline and Regulation, Comm. *cl.* 166, 74; *cl.* 167, 102; *cl.* 170, Amendt. 108; *cl.* 172, Amendt. 109; *cl.* 173, 114, 116, 118; *cl.* 175, 119; *cl.* 180, 120; Postponed *cl.* 69, Amendt. 345, 347, 360, 367, 369, 370, 375; *cl.* 87, Amendt. 384; *add. cl.* 391, 392; Amendt. 394, 395, 396, 399, 520, 550; Schedule 2, 551, 552; Consid. 690; *cl.* 5, 768, 770; *cl.* 19, Amendt. 776; *cl.* 47, 795; *cl.* 49, Amendt. *ib.*, 796; *cl.* 52, 797; *cl.* 55, 798; *cl.* 77, Amendt. 800; *cl.* 91, 805; *cl.* 101, 806
Army Estimates—Commissariat, Transport, &c. 2018, 2019, 2023
East India Loan (Consolidated Fund), Comm. 1513
Expiring Laws Continuance, 1945
Ireland—Colorado Beetle, Reported Appearance of, 1372
  Peace Preservation Act—Special Police Taxes, 756
Ireland—Training of Teachers in Elementary Schools, Res. 270
Irish Church Act (1869) Amendment, Leave, 1630
Municipal Elections (Ireland), Comm. 1627
National School Teachers (Ireland), 2R. 1092
National School Teachers (Ireland) [Re-payment of Advances], Comm. 1628
Navy Estimates—Dockyards, &c. 1819
  Miscellaneous Services, 1920, 1921, 1930
  Scientific Branch, 1792, 1795
Public Works Loans [Advances, &c.], Comm. 1274, 1275
Scotch and Irish Universities Votes, 1948
Supply—Constabulary Force in Ireland, 864, 914, 918; Amendt. 920
  Hospitals and Infirmaries in Ireland, 1384, 1606
  Law Charges, Ireland, 1471, 1475, 1476
  Pauper Lunatics, England, 1378
  Pauper Lunatics, Ireland, 1379
  Public Education, Ireland, 1986, 1991
  Public Education in Scotland, 1976
  Public Works in Ireland, 1463
  Queen's Bench, &c. in Ireland, 1482
  Suez Canal, 1595
  Superintendence of Prisons, &c. in Ireland, 928, 941, 950
University Education (Ireland) (No. 2), 2R. 1262

North, Colonel J. S., *Oxfordshire*
Army Discipline and Regulation, Comm. *add. cl.* 469

Northbrook, Earl of
India—Suchait Singh—The Chumba Succession, 743

Northcote, Right Hon. Sir S. H. (*see* Chancellor of the Exchequer)

Norton, Lord
Industrial Schools (Powers of School Boards), Comm. 1699
Public Health Act (1875) Amendment (Interments), Comm. 7
Workmen's Compensation, 2R. 603, 1697

Norwood, Mr. C. M., *Kingston-upon-Hull*
Bankruptcy Law Amendment, 2R. 585

Noxious Gases Bill
(*Mr. Sclater-Booth, Viscount Sandon, Sir Henry Selwin-Ibbetson, Mr. Salt*)
c. Question, Mr. Lowthian Bell; Answer, Mr. Sclater-Booth *July* 28, 1406
Bill withdrawn * *July* 28 [Bill 123]

O'Beirne, Major F., *Leitrim*
Army Discipline and Regulation, Comm. *cl.* 166, 90 ; *cl.* 167, Amendt. 93 ; Postponed *cl.* 69, Amendt. 356, 359, 365, 366, 369 ; *add. cl.* 522 ; Amendt. 545, 549 ; Consid. *cl.* 101, 806 ; *cl.* 103, Amendt. *ib.*
Army Discipline and Regulation (Commencement), Comm. *cl.* 8, Amendt. 977
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O'Brien, Sir P., *King's Co.*
Army Discipline and Regulation, Comm. *cl.* 166, 87, 89 ; Postponed *cl.* 69, 350, 353 ; *cl.* 87, 384
Army Estimates — Army Reserve, 2012; Amendt. 2014, 2015, 2017
Navy Estimates—Miscellaneous Services, 1926
Supply—Local Government Board in Ireland, &c. 1437, 1439

Occupation Roads Bill
(*Mr. Pell, Sir Thomas Acland, Mr. Rodwell*)
c. Read 2°, after debate *July* 24, 1275 [Bill 241]
Bill withdrawn * *August* 1

O'Clery, Mr. K., *Wexford Co.*
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Supply—Post Office, 1998

O'Conor, Mr. D. M., *Sligo Co.*
Supply—High Court of Justice in Ireland, 1500

O'Conor Don, The, *Roscommon Co.*
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O'Donnell, Mr. F. H., *Dungarvan*
Agricultural Depression (Ireland), 1373
Army Discipline and Regulation, Comm. *cl.* 166, 32, 40, 43, 64, 67, 72 ; *cl.* 167, 105 ; Consid. 761 ; Amendt. 763 ; *cl.* 5, 770 ; *cl.* 6, Amendt. 771, 772, 773
Army Estimates — Commissariat, Transport, &c. Motion for reporting Progress, 2021, 2024, 2025
Navy Estimates—Miscellaneous Services, 1924
Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 194, 197, 199 ;—Personal Explanation, 313
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Local Government Board in Ireland, &c. Amendt. 1440, 1443
Superintendence of Prisons, &c. in Ireland, 945, 948, 950
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O'Donoghue, The, *Tralee*
Parliament—Business of the House, 1536

O'Gorman, Major P., *Waterford*
Army Discipline and Regulation, Comm. *cl.* 166, 67, 72
Parliament — Privilege — Omission from the Votes and Proceedings of the House, 1533
Supply—Constabulary Force in Ireland, 909
Savings Banks and Friendly Societies, Fund for, 1393 ; Motion for Adjournment, 1394, 1396
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O'Hagan, Lord
Lunacy Inquiry (Ireland) Commission, 1821

ONSLOW, Mr. D. R., *Guildford*
  Army Discipline and Regulation, Consid. *cl.* 101, 806
  India—Afghan War—Vote of Thanks to the Army, 629
    Maharajah Dhuleep Singh, 1409
  Metropolitan Board of Works (Water Expenses), 2R. 130
  Navy Estimates—Scientific Branch, 1791
  Parliament—Public Business—Tuesdays and Wednesdays, 321

ORANMORE AND BROWNE, Lord
  University Education (Ireland), Comm. Amendt. 151

Ordnance Survey, The
  Question, Mr. Rowley Hill; Answer, Mr. Gerard Noel *July* 21, 851

O'SHAUGHNESSY, Mr. R., *Limerick*
  Army Discipline and Regulation, Comm. Postponed *cl.* 87, 381; Consid. *cl.* 45, Amendt. 780
  Army Estimates—Commissariat, Transport, &c. 2023
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  Navy Estimates—Miscellaneous Services, 1925
  Supply—Charitable and other Allowances, 1614
    Constabulary Force in Ireland, 869, 883; Amendt. 885, 888, 900, 911, 912, 919
    Hospitals and Infirmaries, Ireland, 1607
    Local Government Board in Ireland, &c. 1423, 1432
    Public Education, Ireland, 1988
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    Science and Art Department, &c. 1937, 1939, 1952, 1954
    Superintendence of Prisons, &c. in Ireland, 939, 947
  University Education (Ireland) (No. 2), 2R. 1214

O'SULLIVAN, Mr. W. H., *Limerick Co.*
  Army Discipline and Regulation, Comm. Postponed *cl.* 87, 379, 384; *add. cl.* 544; Consid. *cl.* 75, 800; *cl.* 101, Amendt. 805

OTWAY, Mr. A. J., *Rochester*
  Army Discipline and Regulation, Comm. *add. cl.* 492, 500, 547; New Schedule, 552, 553; Consid. 684
  Egypt—Nubar Pasha, 25
    Papers, 1847
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PALK, Sir L., *Devon, E.*
  Criminal Law—Case of Edmund Galley, Motion for an Address, 1360
  Parliament—Privilege—Note-taking in the Members' Side Gallery, Res. 197
  Railway Rates for American Produce, 852

PARKER, Mr. C. S., *Perth*
  Army Discipline and Regulation, Consid. *cl.* 47, Amendt. 795; *cl.* 52, 797
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  Scotch Society for Promoting Christian Knowledge, 1668
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Parliament
LORDS
  Election of Representative Peers for Scotland—The Earldom of Mar, Questions, Observations, The Marquess of Huntly; Reply, The Lord Chancellor; short debate thereon *July* 11, 133
  Meeting of the House To-morrow (Saturday), Observation, The Duke of Richmond and Gordon *July* 18, 744

COMMONS
  Parliamentary Representation—Representation of Scotland, Question, Mr. M'Laren; Answer, The Chancellor of the Exchequer *July* 31, 1702
  Printing Contract with Messrs. Hansard, Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer *July* 10, 24

Business of the House
  Questions, Sir Joseph M'Kenna, Mr. Bentinck, Mr. Dillwyn, Mr. Goschen, Sir Robert Peel, Mr. Hibbert, Mr. Callan; Answers, The Chancellor of the Exchequer, Mr. W. H. Smith *July* 10, 27; *Orders of the Day—Tuesdays and Wednesdays*, Observations, Question, The Marquess of Hartington; Reply, The Chancellor of the Exchequer *July* 11, 163; Question, Mr. Dillwyn; Answer, The Chancellor of the Exchequer *July* 17, 634; Statement, The Chancellor of the Exchequer; Observations, Mr. Callan *July* 18, 759; Questions, Mr. Hankey, Mr. Fawcett; Answers, The Chancellor of the Exchequer *July* 21, 859; Questions, Mr. Heygate, Mr. Mundella, Mr. Anderson, Mr. W. E. Forster, Mr. Beresford Hope, Sir Alexander Gordon; Answers, The Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson *July* 24, 1180; Question, Mr. Childers; Answer, The Chancellor of the Exchequer *July* 25, 1298; Questions, Mr. Dillwyn, Mr. Childers; Answers, The Chancellor of the Exchequer *July* 28, 1415; Questions, Mr. Childers, Mr. W. E. Forster, The O'Donoghue, Mr. Rylands, Mr. Price; Answers, The Chancellor of the Exchequer, Mr. W. H. Smith *July* 29, 1535; Questions, Sir George Campbell, Mr. W. E. Forster, Mr. Newdegate, Mr. M. Brooks, Sir Joseph M'Kenna; Answers, The Chancellor of the Exchequer *July* 31, 1712; Questions, Mr. Mac Iver, Mr. Beresford Hope; Answers, The Chancellor of the Exchequer *August* 1, 1851

Orders of the Day
  Ordered, That the Orders of the Day which are appointed for To-morrow, at Two of the clock, be deferred till To-morrow *July* 14

[*cont.*

PARLIAMENT—COMMONS—*cont.*

Ordered, That the Orders of the Day appointed for this Evening be postponed until after the Notice of Motion relating to Unfulfilled Arrangements of the Congress of Berlin (*Mr. Chancellor of the Exchequer*) *July* 22

Privilege

Omission from the Votes and Proceedings of the House, Observations, Mr. Callan; short debate thereon *July* 29, 1529

Proceedings of the House—Note-taking in the Members' Side Gallery, Personal Explanation, Mr. O'Donnell *July* 14, 313

Parliament—Parliamentary Reporting

Message to the Commons for the Reports from the Select Committee of that House (of this Session and last Session), together with the Minutes of Evidence, &c. *July* 22

Message from The Lords, That they do request, that this House will be pleased to communicate to their Lordships, Copies of the Reports from the Select Committee appointed by this House in the present Session and in the last Session on Parliamentary Reporting, together with the Minutes of Evidence, &c. *July* 23

Reports from the Select Committee appointed by the House of Commons in the present and the last Sessions of Parliament, together with the Minutes of Evidence, &c.: Communicated (pursuant to message of Tuesday last), and ordered to lie on the Table *July* 24, 1168

Lords Message considered; Printed Copy to be communicated *July* 24, 1277

Parliament—Privilege—Proceedings of the House—Note-taking in the Members' Side Gallery

Moved, "That the Chairman do report Progress, in order that, with Mr. Speaker in the Chair, a question may be raised as to notes being taken by a person, in the Members' Side Gallery of the House, not being a Member of the House" (*Mr. Sullivan*) *July* 10, 47; after short debate, Question put, and agreed to

Observations, Mr. Sullivan; short debate thereon

Moved, "That any Report or Record of the Proceedings of this House, or of a Committee of the whole House, made, taken, or kept by officials of this House as an official act or otherwise without the previous order or sanction or knowledge of the House, and for purposes not revealed to the House, other than the Notes or Minutes of the Orders and Proceedings of the House, or of the Committee of the whole House, taken at the Table by the Clerk or the Clerk Assistant, is without precedent in the customs and usages of Parliament" (*Mr. Parnell*) *July* 11, 164

Amendt. to leave out from "That," and add "Notice having been taken, while the House was in Committee, of the presence in one of the side Galleries of a gentleman engaged in taking notes of the proceedings of the Committee; and Mr. Speaker having informed the House that the gentleman was an officer of the House, and was so employed under his direction, and that the notes taken by him were for the confidential information of the Speaker, this House is of opinion that Mr. Speaker was justified in the directions given by him, and is entitled to the support and confidence of this House" (*Mr. Chancellor of the Exchequer*) *v.*; Question proposed, "That the words, &c.;" after long debate, Question put; A. 29, N. 421; M. 392 (D. L. 159)

[*cont.*

Parliament — Privilege — Proceedings of the House — Note-taking in the Members' Side-Gallery—cont.

Further Proceeding adjourned till this day

Proceedings of the House further resumed; Question again proposed, 228

Amendt. to the said proposed Amendt. to leave out from "this House," in line 7, and add "declares that the practice of this House prescribes that the Clerk Assistant do not take any notes here without the precedent directions and commands of the House, but only of the Orders and Reports made in the House, and that the entry of the Clerk of particular men's speeches was without warrant at all times" (*Mr. Gray*) *v.*; Question proposed, "That the words, &c.;" after debate, Question put; A. 292, N. 24; M. 268 (D. L. 160)

Words added; main Question, as amended, put, and agreed to

Personal Explanation, Mr. O'Donnell *July* 14, 313

Parliament—Privilege (Tower High Level Bridge (Metropolis) Committee)

Report from the Select Committee, with Minutes of Evidence, brought up, and read *July* 16, 602

Moved, "That the Report do lie on the Table, and that it be ordered to be printed" (*Mr. Spencer Walpole*); Motion agreed to; Report to lie upon the Table, and to be printed [No. 294]

Moved, "That the Report from the Select Committee on Privilege (Tower High Level Bridge (Metropolis) Committee), be taken into consideration upon Tuesday next, at Two of the clock" (*Mr. Chancellor of the Exchequer*) *July* 17, 633; Motion agreed to

Report from Select Committee considered *July* 22, 971

Moved, "That Mr. Charles Edmund Grissell and Mr. John Sandilands Ward do attend this House To-morrow, at Twelve o'clock" (*Mr. Chancellor of the Exchequer*); after short debate, Motion agreed to

Order for attendance of Mr. Charles Edmund Grissell and Mr. John Sandilands Ward, read *July* 23, 1100

Moved, "That Charles Edmund Grissell having been ordered to attend the House this day, and having neglected to attend, be taken into the custody of the Serjeant at Arms attending this House; and that Mr. Speaker do issue his Warrants accordingly" (*Mr. Chancellor of the Exchequer*); after short debate, Question put, and agreed to

[*cont.*

Parliament—Privilege (Tower High Level Bridge (Metropolis) Committee)—cont.

Then John Sandilands Ward was called in, and was addressed by Mr. Speaker, who said—"I have now to state on behalf of the House that the House is willing to hear what you have to say upon the matter"

John Sandilands Ward thereupon tendered an explanation of his conduct; and was then directed to withdraw

Moved, "That John Sandilands Ward having been cognizant of, and having assisted Charles Edmund Grissell in, the matter of his offer to control the decision of the Committee on the Tower High Level Bridge (Metropolis) Bill, was guilty of a breach of the Privileges of this House" (*Mr. Chancellor of the Exchequer*); after short debate, Question put, and agreed to

Moved, "That John Sandilands Ward be, for his said offence, committed to the custody of the Serjeant-at-Arms attending this House; and that Mr. Speaker do issue his Warrant accordingly" (*Mr. Chancellor of the Exchequer*); after short debate, Question put, and agreed to

The Entry in the Votes, 1103

Arrest of John Sandilands Ward—The *Sergeant at Arms* reported to the House, that he had taken into custody John Sandilands Ward, pursuant to the Order of the House this day *July* 23, 1122

The *Sergeant at Arms* on being called upon by Mr. Speaker to inform the House what course he had taken in order to serve Mr. Speaker's Warrant upon Charles Edmund Grissell, reported as follows:—That, on receiving Mr. Speaker's Warrant to take into my custody Charles Edmund Grissell, I sent a Messenger of the House to Boulogne-sur-Mer to obtain information respecting him. The Messenger has returned and reported to me that he has seen Mr. Grissell, who is still at Boulogne-sur-Mer, beyond the jurisdiction of this House, and residing at the Hotel Bordeaux under the name of Graham *July* 28

Petition from Mr. John Sandilands Ward, Moved, "That the Petition be printed and taken into consideration to-morrow, immediately after the assembling of the House" (*Mr. Spencer Walpole*) *July* 29, 1536; Motion agreed to; Petition to lie upon the Table, and to be printed [App. 1]; Petition to be taken into consideration To-morrow

Petition considered *July* 30, 1632

Moved, "That John Sandilands Ward, having entirely submitted himself to this House, and expressed his sorrow and regret for his offence, and having already suffered in his health, be discharged out of the custody of the Sergeant at Arms, on payment of his fees" (*Mr. Chancellor of the Exchequer*); after short debate, Motion agreed to

Parliament—Public Business—Orders of the Day—Tuesdays and Wednesdays

Moved, "That, for the remainder of the Session, Orders of the Day have precedence of Notices of Motions upon Tuesdays, Government Orders having priority; and that Govern-

[*cont.*

Parliament — Public Business — Orders of the Day—Tuesdays and Wednesdays—cont.

ment Orders have priority upon Wednesdays" (*Mr. Chancellor of the Exchequer*) *July* 14, 314

After short debate, Amendt. at end to add "except in the case of Bills which stand for Consideration, as amended, or Third Reading" (*Mr. Vans Agnew*); Question proposed, "That those words be there added;" after further debate, Amendt. withdrawn

Original Question put, and agreed to

Parliament—House of Commons

New Writ Issued

1879

July 18—*For* Ennis, *v.* William Stacpoole, esquire, deceased

New Members Sworn

July 17—Charles Tennant, esquire, *Glasgow*

July 29—James Lysaght Finigan, esquire, *Ennis Borough*

Parliamentary Burghs (Scotland) Bill

(*The Earl of Camperdown*)

l. Royal Assent *July* 21 [42 & 43 *Vict.* c. 47]

Parliamentary Elections and Corrupt Practices Bill—Legislation

Questions, Mr. B. Samuelson; Answer, The Chancellor of the Exchequer *July* 15, 446

Parliamentary Franchise Bill

(*Mr. Elliot, Mr. Rodwell, Mr. Serjeant Spinks*)

c. Bill withdrawn *July* 23, 1145 [Bill 84]

Parnell, Mr. C. S., *Meath*

Army Discipline and Regulation, Comm. *cl.* 166, 35, 42; Motion for reporting Progress, *ib.*, 45, 60, 61, 62, 66, 73, 75, 76, 77, 78, 79, 80, 81, 90; *cl.* 167, 94, 97; Amendt. 102, 103, 104; *cl.* 173, Motion for reporting Progress, 116, 118; Postponed *cl.* 69, 362, 375, 376; *cl.* 87, Amendt. 378, 379, 382, 383, 385; *cl.* 128, Amendt. 387; *add. cl.* Amendt. 400, 404, 405, 406, 493, 495, 496, 497, 498, 499, 500, 508, 509, 529, 530, 539, 540, 545; Consid. Motion for Adjournment, 720; Amendt. 761, 762, 765; *cl.* 5, Amendt. 765, 768; *cl.* 6, 773; Amendt. 775; *cl.* 42, Amendt. 777, 780, 781, 783, 784, 787, 788, 793, 794; *cl.* 126, Amendt. 807; *cl.* 127, Amendt. 808, 809; *cl.* 128, *ib.*; Motion for Adjournment, 810, 813

Army Estimates—Army Reserve, Motion for Adjournment, 2000, 2001; Amendt. 2017

Bankruptcy Law Amendment, 2R. 601, 721

Navy Estimates—Admiralty Office, 1774, 1775, 1778, 1781

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Scotch and Irish Universities Votes, 1947
Supply—High Court of Justice in Ireland, 1493
  Public Education, Scotland, 1979, 1981
  Public Works in Ireland, 1465
  Science and Art Department, &c. 1940, 1951, 1960
  Superintendence of Prisons, &c. in Ireland, Motion for reporting Progress, 1501, 1502

Passenger Vessels Licensing (Scotland) Bill (*Dr. Cameron, Lord Colin Campbell, Mr. Dalrymple, Mr. James Stewart, Mr. Orr Ewing, Mr. Grant*)
c. Considered in Committee; Resolution agreed to, and reported; Bill ordered; read 1° * *July* 16 [Bill 247]

Patents for Inventions (No. 2) Bill (*Mr. Attorney General, Mr. Secretary Cross, Mr. Solicitor General*)
c. Bill withdrawn * *July* 14 [Bill 77]

Peace Preservation (Ireland) Act—Special Police Taxes
Questions, Major Nolan, Mr. Parnell, Mr. Biggar, Mr. Callan; Answers, Mr. J. Lowther *July* 18, 758

PEASE, Mr. J. W., *Durham, S.*
Criminal Law—Imprisonment for Stealing Flowers, 307

PEEL, Right Hon. Sir R., *Tamworth*
Africa, South—Estimate of Expenditure—Ministerial Statement, 1720, 1721
Army Discipline and Regulation, Comm. *cl.* 69, Amendt. 348, 351, 352, 356; Postponed *cl.* 69, 360, 364; *add. cl.* 488
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PEEL, Mr. A. W., *Warwick Bo.*
Metropolis—Parochial Charities of the City of London—Report of the Commissioners, 1706
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PELL, Mr. A., *Leicestershire, S.*
Artizans' Dwellings Act (1868) Extension, Comm. *cl.* 21, Amendt. 414, 415, 416; *cl.* 22, Amendt. *ib.*, 417; Schedule A, 418
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PEMBERTON, Mr. E. L., *Kent, E.*
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PERKINS, Sir F., *Southampton*
Prince Imperial, The Late, 1297

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Cruelty to Animals, 2R. 431
Public Health Act (1875) Amendment (Interments), Comm. 6

Petroleum Act (1871) Amendment Bill (*Sir Matthew Ridley, Mr. Secretary Cross*)
c. Read 2° * *July* 18 [Bill 214]
Committee *; Report *July* 21
Considered *; read 3° *July* 22
l. Read 1ª * (*The Lord Steward*) *July* 23 (No. 161)
Read 2ª * *July* 31
Committee; Report *August* 1, 1841

PIM, Captain B., *Gravesend*
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  Coastguard Service, &c. Amendt. 1786, 1788
  Dockyards, &c. 1818
  Naval Stores for Buildings, &c. 1820
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Education Code—Elementary Science, Res. 1647
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Scotch and Irish Universities Votes, 1946
Supply — Deep Sea Exploring Expedition (Report), 1985
  Public Education in Scotland, 1974
  Science and Art Department, &c. 1935, 1956

PLIMSOLL, Mr. S., *Derby Bo.*
Army Discipline and Regulation, Comm. *cl.* 166, 87
Malta (Cost of Police, &c.), Res. 1898, 1918

PLUNKET, Hon. D. R., *Dublin University*
India—Civil Service, 1527
Irish Church Act (1869) Amendment, Leave, 1629
National School Teachers (Ireland), 2R. 1092
Supply—Superintendence of Prisons, &c. Ireland, 941, 946

Poor Law
Pauper Lunatics—Case of Benjamin Harrison, Question, Mr. Mundella; Answer, Mr. Assheton Cross *July* 10, 19
Pauper Nurses, Question, Mr. Rathbone; Answer, Mr. Sclater-Booth *July* 24, 1172
Spiritual Ministrations in Walsall Workhouse, Question, Mr. Sullivan; Answer, Mr. Sclater-Booth *July* 17, 626

Poor Law Amendment (No. 2) Bill (*Mr. Salt, Mr. Sclater-Booth*)
c. Adjourned Debate [1st July] resumed *July* 23, 1120; after short debate, Question put, and agreed to; Bill read 2° [Bill 212]

Poor Law Amendment (Scotland) Bill
Question, Mr. Grant; Answer, The Lord Advocate *July* 21, 855

Poor Law (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Bill withdrawn * *July* 17 [Bill 122]

Poor Law (Scotland) (No. 2) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Ordered; read 1° * *July* 18 [Bill 252]
Read 2° * *July* 24

POST OFFICE
MISCELLANEOUS QUESTIONS
Contracts
Mail Contracts—Mails to India and China, Question, Mr. Isaac; Answer, Sir Henry Selwin-Ibbetson *July* 21, 857
The Australian Mails, Question, Mr. Sampson Lloyd; Answer, Lord John Manners *July* 18, 753
The Peninsular and Oriental Steam Navigation Company, Question, Mr. J. Holms; Answer, Lord John Manners *July* 10, 21; Question, Mr. J. Holms; Answer, Sir Michael Hicks-Beach *July* 17, 621; Questions, Mr. Rathbone, Mr. Isaac; Answers, Sir Henry Selwin-Ibbetson *July* 18, 752
Telegraph Department
Female Clerks, Question, Mr. Chamberlain; Answer, Lord John Manners *July* 17, 628
Telegraph Clerks (Dublin), Question, Mr. M. Brooks; Answer, Lord John Manners *July* 31, 1710

POWER, Mr. J. O'Connor, *Mayo*
Army Discipline and Regulation, Comm. *cl.* 166, 41, 42, 49; Motion for reporting Progress, 56, 65, 69, 72, 88; *cl.* 173, 116, 117; Postponed *cl.* 87, 380; *add. cl.* 489; Consid. *cl.* 128, 811
Navy Estimates—Admiralty Office, 1772
Parliament—Public Business—Tuesdays and Wednesdays, 318
Parliament—Privilege—Note-taking in the Members' Side Gallery, 55, 56; Res. 171
Supply—Constabulary Force in Ireland, 859, 905, 919
Queen's University in Ireland, 1418
Superintendence of Prisons, &c. in Ireland, 944, 946, 949, 1502

PRICE, Captain G. E., *Devonport*
Navy Estimates—Admiralty Office, 1771
Dockyards, &c. 1797
Pensions to Widows and Orphans of Seamen and Marines, 1755

PRICE, Mr. W. E., *Tewkesbury*
Army—60th Rifles—Colour Sergeant Dickaty, 616, 755
61st and 28th Regiments, 22
Canal Boats Act, 1877, 22
Prince Imperial, The Late—Monument in Westminster Abbey, 1175

Prince Imperial, The Late
Question, Mr. Callan; Answer, Mr. Assheton Cross *July* 10, 26; Question, Sir Frederick Perkins; Answer, Colonel Loyd Lindsay *July* 25, 1297
Court Martial on Lieutenant Carey, Question, Sir Robert Peel; Answer, Colonel Stanley *July* 21, 858; Question, Observations, Lord Truro; Reply, Viscount Bury *July* 22, 961; Question, Sir Robert Peel; Answer, Colonel Stanley *July* 24, 1177
Monument in Westminster Abbey, Questions, Mr. Price, Mr. E. Jenkins, Mr. Callan; Answers, Colonel Stanley, The Chancellor of the Exchequer *July* 24, 1175
The Funeral Expenses, Question, Mr. Burt; Answer, The Chancellor of the Exchequer *July* 11, 160

Prince Imperial, The Late
Moved for, Copies of the Orders or Instructions under which the late Prince Imperial was acting on the 1st of June; and for Copies of the Orders which detailed Lieutenant Carey for duty on the same day; and for Copies of the Charge or Charges upon which Lieutenant Carey was arraigned (*The Earl of Dunraven*) *August* 1, 1821; after short debate, Motion withdrawn

Prisons Act, 1877—*Prison Labour*
Question, Sir John Lubbock; Answer, Mr. Assheton Cross *July* 10, 13

Public Health Act (1875) Amendment (Interments) Bill (*The Earl Stanhope*)
l. Moved, "That the House do now resolve itself into Committee" *July* 10, 1
Amendt. to leave out ("now") and add ("this day three months") (*The Earl of Kimberley*); after short debate, on Question, that ("now,") &c.; Cont. 117, Not-Cont. 69; M. 48 Div. List, Cont. and Not-Cont. 8
Resolved in the affirmative; Committee; Report (No. 123)
Read 3^{a} *July* 15, 436; after short debate, Bill passed
Royal Assent *July* 21 [42 & 43 *Vict.* c. 31]

Public Health (Ireland) Act (1878) Amendment Bill
(*Mr. James Lowther, Mr. Attorney General for Ireland*)
c. Read 2^{c} * *July* 18 [Bill 128]
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *July* 23, 1140; after short debate, Question put, and agreed to; Committee; Report

Public Loans Remission Bill
(*The Lord President*)
l. Read 1^{a} * *July* 10 (No. 144)
Read 2^{a} * *July* 18
Committee *; Report *July* 21
Read 3^{a} * *July* 22
Royal Assent *July* 24 [42 & 43 *Vict.* c. 35]

Public Offices (Fees) Bill
(*Sir Henry Selwin-Ibbetson, Mr. Chancellor of the Exchequer*)
c. Ordered ; read 1° * *July* 29 [Bill 266]
Read 2° * *August* 1

Public Works Loans Bill
(*Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson*)
c. Order for 2R. discharged ; Bill withdrawn *July* 23, 1114 [Bill 70]
Question, Mr. Rylands ; Answer, The Chancellor of the Exchequer *July* 25, 1299

Public Works Loans (No. 2) Bill
(*Mr. Chancellor of the Exchequer, Sir Henry Selwin-Ibbetson*)
c. Considered in Committee *July* 24, 1273
Resolutions reported, and agreed to ; Bill ordered ; read 1° * *July* 25 [Bill 260]

Raikes, Mr. H. C. (Chairman of Committees of Ways and Means), *Chester*
- Army Discipline and Regulation, Comm. *cl.* 166, 32, 42, 59, 60, 61, 62, 67, 69, 72, 78, 79, 80 ; *cl.* 167, 93, 95 ; Postponed *cl.* 69, 348, 350, 351, 358 ; *cl.* 87, 379 ; *add. cl.* 404, 406, 503 ; Schedule 2, 551 ; New Schedule, 552
- Army Estimates—Army Reserve, 2004, 2011
  - Commissariat, Transport, &c. 2018
- Gas Companies and Electric Lighting—Report of Committee, 1528
- Great Northern Railway (Ireland), Consid. 748
- Ireland—The Alliance and Dublin Consumers Gas Company—Electric Light, 162
- Lord Clerk Register (Scotland), Comm. *add. cl.* 1026
- Navy Estimates—Admiralty Office, 1778, 1779, 1780, 1786
  - Coastguard Service, &c. 1787
  - Miscellaneous Services, 1897, 1919
- Parliament — Privilege — Note-taking in the Members' Side Gallery, 48, 49, 50
- Supply—Constabulary Force in Ireland, 887, 888, 889, 903, 911, 913
  - High Court of Justice in Ireland, 1496, 1497, 1498
  - Law Charges, Ireland, 1473
  - Post Office Services, &c. 1622, 1623
  - Public Education in Scotland, 1971, 1974, 1978, 1981
  - Suez Canal, 1595
  - Superintendence of Prisons, &c. in Ireland, 943, 945, 949, 950
- Thames River (Prevention of Floods), Lords Amendts. Consid. 1293

Railway Commission Continuance
Question, Mr. Baxter ; Answer, Viscount Sandon *July* 17, 627

Railways
- *American and British Produce—Preferential Rates,* Question, Observations, The Marquess of Huntly ; Reply, Lord Henniker ; short debate thereon *July* 17, 605

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Railways—cont.
- *American Produce, Railway Rates for,* Question, Sir Lawrence Palk ; Answer, Mr. J. G. Talbot *July* 21, 852
- *Automatic Brakes,* Questions, Mr. J. Cowen, Mr. Macdonald ; Answers, Viscount Sandon *July* 10, 24
- *Railway Brakes,* Question, Mr. Macdonald ; Answer, Viscount Sandon *July* 24, 1177 ;—*Railway Returns* (*Continuous Brakes*) *Act,* 1878, Questions, Observations, Earl De La Warr ; Reply, Lord Henniker *July* 31, 1700
- *Railway Passenger Duty,* Question, Mr. W. H. James ; Answer, Sir Henry Selwin-Ibbetson *July* 10, 21

Railways and Telegraphs in India Bill
(*Mr. E. Stanhope*)
c. Committee (*on re-comm.*)—R.P. *July* 14 [Bill 234]
Committee* (*on re-comm*) ; Report *July* 17
Considered * *July* 18
Read 3° * *July* 21

Ramsay, Mr. J., *Falkirk, &c.*
- Army Discipline and Regulation, Comm. Postponed *cl.* 87, 381, 385 ; *add. cl.* 494
- Banking and Joint Stock Companies, 2R. 1555
- Education Code—Elementary Science, Res. 1646
- School Boards (Duration of Loans), 2R. 1149
- Scotch and Irish Universities Votes, 1948
- Scotch Society for Promoting Christian Knowledge, 1670
- Supply—Colonies, Grants in Aid, 1594
  - Hospitals and Infirmaries in Ireland, 1383, 1385, 1387, 1609
  - Pauper Lunatics, England, 1376, 1377, 1378
  - Pauper Lunatics, Scotland, 1379
  - Public Education, Ireland, 1991
  - Public Education, Scotland, Motion for reporting Progress, 1693, 1970, 1971, 1980, 1983
  - Suez Canal, 1598

Rathbone, Mr. W., *Liverpool*
- Banking and Joint Stock Companies, 2R. 999
- Bankruptcy Law Amendment, 2R. 592, 857, 969
- Cambridge University Commissioners, 23
- East India Museum, South Kensington, 615
- Law and Justice—Civil Assizes at Manchester and Liverpool, 1409, 1410, 1411
- Poor Law—Pauper Nurses, 1172
- Post Office (Contracts)—Peninsular and Oriental Steam Navigation Company, 752

Redesdale, Earl of (Chairman of Committees)
- Brentford and Isleworth Tramways, 3R. 272, 956
- Metropolitan and Metropolitan District Railway Companies, 3R. 732, 957 ; Amendt. 958
- Representative Peers for Scotland, Election of—The Earldom of Mar, 139

REED, Mr. E. J., *Pembroke, &c.*
Navy Estimates—Admiralty Office, 1771
Dockyards, &c. 1808, 1817, 1819
Scientific Branch, 1789
Pensions to Widows and Orphans of Seamen and Marines, 1757

Registry Courts (Ireland) (Practice) Bill
(*Mr. Callan, Sir Joseph M'Kenna, Mr. Fay*)
c. Ordered; read 1° * *July* 24 [Bill 259]
Read 2° * *July* 28
Committee—R.P. after short debate *August* 2, 2026

Regulation of Railways Acts Continuance Bill
(*Viscount Sandon, Mr. J. G. Talbot*)
c. Ordered; read 1° * *July* 30 [Bill 270]
The Railway Commission, Questions, Mr. Hermon, Mr. Callan; Answers, Mr. J. G. Talbot *August* 1, 1850
Read 2° * *August* 2

RICHARD, Mr. H., *Merthyr Tydvil*
Elementary Education Act — Horley School Board, 617

RICHMOND AND GORDON, Duke of (Lord President of the Council)
Canal Boats Act, 1877, 1521
Income Tax—Agricultural Depression, 1167
Education Rates, 1168
Parliament—Meeting of the House on Saturday, 744
Prince Imperial, The Late—Motion for Papers, 1835
Railways — American and British Produce—Preferential Rates, 611

RIDLEY, Sir M. W. (Under Secretary of State for the Home Department), *Northumberland, N.*
Elementary Education — Establishment of Training Ships, 847

Rivers Conservancy Bill
c. Question, Mr. Garfit; Answer, Mr. Sclater-Booth *July* 14, 302
Bill withdrawn * *July* 14 [Bill 179]
A Royal Commission, Question, Mr. Arthur Peel; Answer, The Chancellor of the Exchequer *July* 17, 627
Legislation, Question, Mr. E. W. Harcourt; Answer, The Chancellor of the Exchequer *July* 21, 854

Royal Victoria Patriotic Asylum Schools, Wandsworth
Question, General Shute; Answer, Colonel Stanley *July* 10, 15

RUSSELL, Sir C., *Westminster*
Army Discipline and Regulation, Consid. 686; *cl.* 45, 781

Russia—Treatment of Political Offenders —Alleged Russian Atrocities
Notice of Question, Mr. J. Cowen *July* 21, 842; Questions, Mr. J. Cowen, Mr. Mundella; Answers, Mr. Bourke *July* 28, 1403

RYLANDS, Mr. P., *Burnley*
Africa, South—Zulu War—Expenditure, 850
Army Discipline and Regulation, Comm. Postponed *cl.* 87, 382; *add. cl.* 402, 534; Consid. 765; *cl.* 5, 766, 770; *cl.* 45, 782
Army Discipline and Regulation (Commencement), Comm. 975; *cl.* 7, 977
Army Estimates—Army Reserve, 2002, 2011, 2013, 2016
Bankruptcy Law Amendment, 2R. 722
Customs Bill of Entry Office, 853
East India Loan (Consolidated Fund), Comm. 1513; *cl.* 2, 1516
Natural History Museum, South Kensington, 1659, 1661
Navy Estimates—Scientific Branch, 1796
Parliament—Business of the House, 1536, 1851
Poor Law Amendment (No. 2), 2R. 1121
Public Works Loans, 2R. 1114, 1299
School Boards (Duration of Loans), 2R. 1148
Siam, Kingdom of — Action of Mr. Knox, British Consul General — The Gunboat "Fox," 1844
Supply—Colonies, Grants in Aid, 1594
Consular Services, 1590
Diplomatic Services, 1586
Local Government Board in Ireland, &c. 1438
Science and Art Department, &c. 1968
Suez Canal, 1600
Superintendence of Prisons, &c. in Ireland, 1504, 1505, 1508

Sale of Food and Drugs Act (1875) Amendment Bill
(*The Lord Strafford*)
l. Read 2ª * *July* 10 (No. 127)
Committee *; Report *July* 14
Read 3ª * *July* 17
Royal Assent *July* 21 [42 & 43 *Vict.* c. 30]

Sale of Intoxicating Liquors on Sunday Bill (*Mr. Stevenson, Mr. Charles Wilson, Mr. Birley, Mr. Osborne Morgan, Mr. William M'Arthur, Mr. James*)
c. Bill withdrawn * *July* 28 [Bill 20]

SALISBURY, Marquess of (Secretary of State for Foreign Affairs)
Cyprus, Island of—Slavery, 1398, 1399, 1400
Slave Trade—South East Coast of Africa, 273
Slavery in Cuba, Motion for Papers, 825
Treaty of Berlin—Eastern Roumelia—Evacuation, 1702
Treaty of Berlin—Evacuation of the Provinces, Motion for an Address, 280, 282

Salmon Fishery Law Amendment (No. 2) Bill (*The Lord Steward*)
l. Royal Assent *July* 21 [42 & 43 *Vict.* c. 26]

SALT, Mr. T., *Stafford*
  Artizans' Dwellings Act (1868) Extension, Comm. *cl.* 20, Amendt. 413; Schedule A, Amendt. 417, 418
  Supply—Hospitals and Infirmaries in Ireland, 1387
    Savings Banks and Friendly Societies, Fund for, 1393, 1394
  Turnpike Acts Continuance, Comm. 1138, 1139; Schedule 5, Amendt. *ib.*

SAMUDA, Mr. J. D'A., *Tower Hamlets*
  Navy Estimates—Admiralty Office, 1773, 1774
    Dockyards, &c. 1801

SAMUELSON, Mr. B., *Banbury*
  Parliamentary Elections and Corrupt Practices, 446

SAMUELSON, Mr. H. B., *Frome*
  Army Discipline and Regulation, Comm. *cl.* 180, Amendt. 121; Consid. 761, 765; *cl.* 5, Amendt. 766; *cl.* 45, Amendt. 778, 779, 781, 790; *cl.* 77, 800; *cl.* 90, Amendt. 804; *cl.* 177, Amendt. 814, 815
  Cyprus—Public Works Return, 445
  Turkey—Amoosh Aga, 312, 313
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SANDON, Right Hon. Viscount (President of the Board of Trade), *Liverpool*
  Army Discipline and Regulation, Consid. 659, 660
  Black Sea, Surveyors of Vessels in the, 614
  Greenwich and Merchant Seamen Hospital, 1170
  Mercantile Marine—Wreck of the "State of Louisiana" on the Hunter's Rock, Larne, 304
  Merchant Seamen, 1171
  Merchant Shipping Acts—Inspection of Emigrant Ships, 14
  Railway Brakes, 1177
  Railway Commission Continuance, 627
  Railways—Automatic Brakes, 25
  Shipping Casualties Investigations Re-hearing, 2R. 1519
  Thames, Navigation of—Report of Commissioners, 1179
  Tramways Act, 1870—Repair of Lines, 625

School Boards (Duration of Loans) Bill
(*Mr. Hanbury, Mr. Pell, Mr. Reginald Yorke*)
c. Moved, "That the Bill be now read 2°" *July* 23, 1146
  Amendt. to leave out "now," and add "upon this day three months" (*Mr. Chamberlain*); Question proposed, "That 'now' &c.;" after short debate, Moved, "That the Debate be now adjourned" (*Mr. Dillwyn*); after further short debate, Debate adjourned

Science and Art Department — United Westminster School of Art—Suspension of Mr. Goffin
  Question, Colonel Beresford; Answer, Lord George Hamilton *July* 14, 300
  Select Committee appointed, "to inquire into and report upon the circumstances relating to the suspension of the Certificate of Mr. Goffin by the Science and Art Department" *July* 16; List of the Committee, 603

SCLATER-BOOTH, Right Hon. G. (President of the Local Government Board), *Hampshire, N.*
  Army Discipline and Regulation, Comm. Postponed *cl.* 87, 380, 382
  Canal Boats Act, 1877, 22
  Noxious Gases, 1406
  Occupation Roads, 2R. 1276
  Poor Law—Pauper Nurses, 1172
    Spiritual Ministrations in Walsall Workhouse, 626
  Poor Law Amendment (No. 2), 2R. 1120, 1121
  Rivers Conservancy, 302
  Supply—Pauper Lunatics, England, 1377
  Vaccination Prosecutions—Dewsbury Union, 1526

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MISCELLANEOUS QUESTIONS
  Education—The Abbey Parish Board, Paisley, and School Fees, Question, Mr. Biggar; Answer, The Lord Advocate *July* 29, 1528
  The Firth of Forth, Question, Captain Milne-Home; Answer, Mr. Assheton Cross *July* 22, 965
  Scotch Bills, Question, Mr. R. W. Duff; Answer, The Lord Advocate *July* 17, 632
  Scotch Society for Promoting Christian Knowledge, Observations, Mr. M'Laren; Reply, The Lord Advocate; short debate thereon *July* 30, 1661
  The University of Edinburgh—The Professor of Church History, Questions, Mr. M'Laren; Answers, Mr. Assheton Cross *August* 1, 1842
  Under Secretary of State for Scotland, Question, Mr. J. W. Barclay; Answer, Mr. Assheton Cross *July* 21, 857

SCOTT, Lord H. J. M. D., *Hants, S.*
  Criminal Law—Case of Edmund Galley, Motion for an Address, 1370

SELBORNE, Lord
  Public Health Act (1875) Amendment (Interments), Comm. 6; 3R. 439
  Railways—American and British Produce—Preferential Rates, 611
  Representative Peers for Scotland, Election of—The Earldom of Mar, 145
  Slavery in Cuba, Motion for Papers, 818
  University Education (Ireland), Report, 295

SELWIN-IBBETSON, Sir H. J. (Secretary to the Treasury), *Essex, W.*
  Artizans' Dwellings Act (1868) Extension, Comm. 411; *cl.* 5, 413; *cl.* 21, 414; Amendt. 416

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SELWIN-IBBETSON, Sir H. J.—*cont.*
Commissioners of Woods (Thames Piers), 2R. 1122
Customs Bill of Entry Office, 853
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Expiring Laws Continuance, 1945
Ireland—Miscellaneous Questions
 Board of Works—Salaries of the Staff, 305
 Clerks of the Crown—Repayment of Advances, 308
 Drainage—Mulcair Drainage Scheme, 1406
Metropolitan Board of Works (Money), Leave, 1276
National School Teachers (Ireland) (Re-payment of Advances), Comm. 1518
Parliament—Arrangement of Public Business, 1181
 Privilege—Omission from the Votes and Proceedings of the House, 1532
Post Office (Contracts)—Peninsular and Oriental Steam Navigation Company, 752, 857
Railway Passenger Duty, 22
Supply — Charitable and other Allowances, Great Britain, 1613
 Comm. 1372
 Constabulary Force in Ireland, 923
 Deep Sea Exploring Expedition (Report), 1985
 Hospitals and Infirmaries in Ireland, 1381, 1383, 1384, 1608, 1609
 Inland Revenue, 1615
 Pauper Lunatics, England, 1376
 Post Office Services, &c. 1617, 1620, 1624
 Public Education, Ireland, 1986
 Public Works in Ireland, 1459, 1463, 1468, 1470
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 Superintendence of Prisons, &c. in Ireland, 949, 1504
 Tonnage Bounties, &c. 1603

SHAFTESBURY, Earl of
Cruelty to Animals, 2R. 425
Cyprus, Island of—Slavery, 1397, 1399, 1400

SHAW, Mr. W., *Cork Co.*
Banking and Joint Stock Companies, 2R. 1009
Local Courts of Bankruptcy (Ireland), 2R. 1131
Supply—High Court of Justice in Ireland, 1497
 Local Government Board in Ireland, &c. 1421, 1436
 Public Works in Ireland, 1463
 Queen's University in Ireland, 1416, 1419
University Education (Ireland) (No. 2), 2R. Amendt. 1189, 1265

SHERIDAN, Mr. H. B., *Dudley*
Criminal Law—Stripping and Searching of Prisoners, 632, 848
Tower High Level Bridge (Metropolis) Committee, 1109

Shipping Casualties Investigations Re-hearing Bill
(*Viscount Sandon, Mr. J. G. Talbot*)
c. Ordered; read 1°* *July* 25 [Bill 262]
 Read 2° *July* 28, 1519
 Amendments, Question, Mr. Mac Iver; Answer, Mr. J. G. Talbot *August* 1, 1850

SHUTE, General C. C., *Brighton*
Army Discipline and Regulation, Comm. *add. cl.* 391, 548
Royal Victoria Patriotic Asylum Schools, Wandsworth, 15

Siam, Kingdom of—Action of Mr. Knox, British Consul General—The Gunboat "Fox"
Question, Mr. Rylands; Answer, Mr. Bourke *August* 1, 1844

SIMON, Mr. Serjeant J., *Dewsbury*
Bankruptcy Law Amendment, 2R. Amendt. 565, 600
Treaty of Berlin—Jews in Eastern Roumelia, 842, 964
Vaccination Prosecutions—Dewsbury Union, 1526

SINCLAIR, Sir J. G. T., *Caithness-shire*
Army Discipline and Regulation, Consid. 764, 765; *cl.* 5, 768; Amendt. *ib.*, 771

Slave Trade (East African Courts) Bill
(*Mr. Bourke, Sir Henry Selwin-Ibbetson*)
c. Committee*; Report *July* 10 [Bill 232]
 Read 3°* *July* 11
l. Read 1ª* (*Marquess of Salisbury*) *July* 14
 Read 2ª* *July* 24 (No. 147)
 Committee*; Report *July* 25
 Read 3ª* *July* 28

Slave Trade—South East Coast of Africa
Observations, Earl Granville; Reply, The Marquess of Salisbury *July* 14, 273

SMITH, Right Hon. W. H. (First Lord of the Admiralty), *Westminster*
Army Discipline and Regulation, Comm. *cl.* 169, Amendt. 106
British Columbia — Esquimalt Dock, 1170, 1711
Coastguard, 1769
Greenwich Hospital Pension Fund, 1099, 1179
Navy—Miscellaneous Questions
 Flogging in the Navy, 1414, 1710
 H.M. Gunboat "Tyrian," 846
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 Marine Officers, 1405, 1524
 Naval Discipline Bill—Punishment, 1846
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 Sentence on a Seaman at Sheerness, 968, 1705
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Smith, Right Hon. W. H.—*cont.*
Navy Estimates—Admiralty Office, 1781, 1784, 1785
Coastguard Service, &c. 1787
Dockyards, &c. 1811, 1814, 1815, 1818
Miscellaneous Services, 1896, 1919, 1920, 1922, 1929, 1931, 1932
New Works, Buildings, &c. Motion for reporting Progress, 1820
Scientific Branch, 1793, 1796
Parliament—Business of the House, 28, 1536
Pensions to Widows and Orphans of Seamen and Marines, 1761, 1763

Smyth, Mr. P. J., *Westmeath Co.*
University Education (Ireland) (No. 2), 1524

Solicitor General, The (Sir H. S. Giffard), *Launceston*
Army Discipline and Regulation, Comm. *add. cl.* 394, 400, 518, 534, 539; Consid. *cl.* 177, 814
Tower High Level Bridge (Metropolis) Committee, 1109

South Kensington — Natural History Museum
Observations, Mr. E. Jenkins; short debate thereon *July* 30, 1655

South Kensington—The Indian Museum
Question, Mr. Grant Duff; Answer, Mr. E. Stanhope *July* 14, 303; Questions, Mr. Wait, Mr. Wilbraham Egerton, Mr. E. Jenkins, Mr. Rathbone; Answers, Mr. E. Stanhope *July* 17, 614; Question, Mr. Percy Wyndham; Answer, Mr. E. Stanhope *July* 21, 851
Amendt. on Committee of Ways and Means *July* 31, To leave out from "That," and add "having regard alike to the traditions of our rule in India and to the expediency of establishing, at an early period, by the joint action of the Mother Country, its Colonies, and Dependencies, an institution in which the productions of all those Colonies and Dependencies should be adequately represented, it is undesirable that the Indian Museum, collected at great cost by the East India Company, and taken over by the Crown, should now be broken up and distributed" (*Mr. Grant Duff*) *v.*, 1722; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

Speaker, The (Right Hon. H. B. W. Brand), *Cambridgeshire*
Africa, South—Administration of Native Affairs, 1872
Army Discipline and Regulation—Flogging, 26
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East India Loan (Consolidated Fund), 2R. 1323
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Spencer, Earl
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Spirits Bill
(*Mr. Attorney General, Sir Henry Selwin-Ibbetson*)
c. Bill withdrawn * *July* 11 [Bill 203]

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  - Newspaper Correspondents, 1534
  - Sir Garnet Wolseley's Instructions, 624
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- Criminal Law—Release of Ann Bradley, 618, 619, 850, 851
- Criminal Law—Case of Edmund Galley, Motion for an Address, 1370
- Ireland—Royal Constabulary, Charge against an Officer of the, 1944
- Navy Estimates—Miscellaneous Services, 1923, 1928
- Parliament—Public Business—Tuesdays and Wednesdays, 330
- Parliament — Privilege — Note-taking in the Members' Side Gallery, 47, 48; Motion for reporting Progress, 49, 50; Res. 204, 218
- Poor Law—Spiritual Ministrations in Walsall Workhouse, 626
- Supply—Constabulary Force in Ireland, 883, 887, 893, 897, 906, 915, 918, 921
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  - Public Education in Scotland, 1978
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- University Education (Ireland)—Alleged Proposal of the Government, 631
- University Education (Ireland) (No. 2), 2R. 1209, 1211, 1258, 1271

Summary Jurisdiction Bill

(*The Lord Chancellor*)

l. Committee * *July* 24 (No. 97)
Report *July* 31, 1698
Read 3ª * *August* 1

SUPPLY

Committee, Observations, Sir Henry Selwin-Ibbetson *July* 25, 1372

The Scotch and Irish Universities Votes, Question, Mr. A. Moore; Answer, The Chancellor of the Exchequer; short debate thereon *August* 2, 1945

Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *July* 18, 774; after short debate, Motion withdrawn; Committee deferred till Monday next

SUPPLY

Considered in Committee *July* 21, 859—Civil Service Estimates—Class III.—Law and Justice—Resolutions reported *July* 22

Considered in Committee *July* 25, 1376—Civil Service Estimates—Class VI.—Superannuation and Retired Allowances, and Gratuities for Charitable and other Purposes—Resolutions reported *July* 28

Considered in Committee *July* 28, 1416—Civil Service Estimates—Class IV.—Education, Science, and Art—Class I.—Public Works

[*cont.*

Supply—*cont.*
and Buildings—Class II.—Salaries and Expenses of Public Departments—Class III.—Law and Justice
Resolutions reported *July* 29
First Resolution agreed to
Second Resolution postponed
Six following Resolutions agreed to
Ninth Resolution postponed
Postponed Resolutions to be taken into consideration upon Thursday
Considered in Committee *July* 29, 1584—£2,500,000, Exchequer Bonds—Civil Service Estimates—Class V.—Colonial, Consular, and other Foreign Services—Class VI.—Superannuation and Retired Allowances, and Gratuities for Charitable and other Purposes — Class VII. — Miscellaneous, Special, and Temporary Objects—Revenue Departments—Civil Services—Class IV.—Education, Science, and Art—Resolutions reported *July* 30
Considered in Committee *July* 30, 1672—Civil Service Estimates—Class IV.—Education, Science, and Art — Resolution reported *August* 1
Committee—r.p.
Considered in Committee *July* 31, 1769—Navy Estimates— Resolutions reported *August* 1
Considered in Committee *August* 1, 1894— Navy Estimates
Resolutions reported *August* 2
First Four Resolutions agreed to
Fifth Resolution postponed
Considered in Committee *August* 1, 1918—Navy Estimates — Civil Service Estimates — Class IV.—Education, Science, and Art —Resolutions reported *August* 4
Considered in Committee *August* 2, 1949—Civil Service Estimates—Class IV.—Education, Science, and Art—Army Estimates—Resolutions reported *August* 4

Supreme Court of Judicature Acts Amendment Bill [h.l.]
(*Mr. Attorney General*)
c. Committee; Report *July* 17, 723 [Bill 134]

Supreme Court of Judicature (District Courts) Bill (*Mr. Joseph Cowen, Mr. Ripley, Mr. Eustace Smith, Mr. Rowley Hill*)
c. Bill withdrawn * *July* 16 [Bill 100]

Supreme Court of Judicature (Ireland) Act, 1877—*Re-organization of the High Court of Judicature*
Question, Mr. Macartney; Answer, The Attorney General *July* 21, 846

Supreme Court of Judicature (Officers) Bill [h.l.] (*Mr. Attorney General*)
c. Read 2°* *July* 10 [Bill 235]
Salaries, Question, Dr. Kenealy; Answer, The Attorney General *July* 15, 446

Supreme Court of Judicature (Officers) [Salaries, &c.]
c. Considered in Committee *July* 22
Resolution reported *July* 23

Synan, Mr. E. J., *Limerick Co.*
Local Courts of Bankruptcy (Ireland), 2R. 1132
Supply—Local Government Board in Ireland, &c. 1424
Public Works in Ireland, 1470

Talbot, Mr. J. G. (Secretary to the Board of Trade), *Oxford University*
Merchant Shipping Act—Passenger Steamers, 1525
Railway Rates for American Produce, 852
Regulation of Railways Acts Continuance—Railway Commission, 1850, 1851
Shipping Casualties Investigations Re-hearing—Amendments, 1850

Taylor, Mr. D., *Coleraine*
Grand Juries (Ireland), 27

Teachers Organization and Registration Bill (*Mr. Lyon Playfair, Mr. Arthur Mills, Sir John Lubbock, Lord Francis Hervey*)
c. Bill withdrawn* *July* 30 [Bill 101]

Templetown, Viscount
Metropolis—Dangers of the Streets, 960

Thames, Navigation of the — Report of Commissioners
Question, Mr. Gourley; Answer, Viscount Sandon *July* 24, 1178

Thames River (Prevention of Floods) Bill (by Order)
l. Report * *July* 11
c. Lords Amendts. agreed to, after short debate *July* 25, 1291

Tipperary Boroughs Bill
(*Mr. Arthur Moore, Mr. Gray, Mr. Meldon, Mr. O'Shaughnessy*)
c. Ordered; read 1°* *July* 30 [Bill 271]

Torrens, Mr. W. T. M., *Finsbury*
Artizans' Dwellings Act (1868) Extension, Comm. 410; *cl.* 5, 413; *cl.* 21, 415; *cl.* 22, 417; Schedule A, *ib.*, 418

Tramways Act, 1870—*Repair of Lines*
Question, Colonel Beresford; Answer, Viscount Sandon *July* 17, 625

Tramways Orders Confirmation Bill
(*The Lord Henniker*)
l. Committee *July* 17, 604 (No. 135)
Report * *July* 18
Read 3ª * *July* 21

Transvaal Papers, The—" White v. *Rudolph"*
Question, Mr. Courtney ; Answer, Sir Michael Hicks-Beach *July* 10, 24

Treaty of Berlin
Miscellaneous Questions
Asiatic Provinces of Turkey—Secretary of State's Despatch 8th August, 1878, Questions, Mr. Baxter, Sir Charles W. Dilke ; Answers, Mr. Bourke *July* 18, 751
Eastern Roumelia—The Evacuation, Question, Earl Stanhope ; Answer, The Marquess of Salisbury *July* 31, 1701
The Russians in Eastern Roumelia, Questions, Mr. J. R. Yorke ; Answers, Mr. Bourke *July* 21, 845 ; *July* 24, 1181

Treaty of Berlin—Evacuation of the Provinces
Moved, that an humble Address be presented to Her Majesty, praying Her Majesty to exercise her diplomatic influence in the manner best calculated to secure the complete evacuation by Russian troops of all territory on this side of the Pruth, whether belonging to the Sublime Porte or to Roumania, at the time stipulated in the Treaty of Berlin (*The Lord Stratheden and Campbell*) *July* 14, 273 ; after short debate, Motion withdrawn

Treaty of Berlin—The Congress (*Unfulfilled Arrangements*)
Moved, " That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to use Her influence to procure the prompt execution of those Articles of the Treaty of Berlin which relate to reforms in Turkey ; and further praying that, in undertaking mediation under the 24th Article of the Treaty, She will endeavour to procure for Greece the rectification of frontier agreed upon by the Powers" (*Sir Charles W. Dilke*) *July* 22, 1027
Amendt. to leave out from " That," and add " this House desires to express its gratification that the main portion of the stipulations of the Treaty of Berlin has been successfully carried into effect, and approves the steps which Her Majesty's Government have already taken to secure the full accomplishment of those portions of the Treaty which are still in course of execution " (*Mr. Hanbury*) *v.* ; Question proposed, " That the words, &c. ;" after debate, Moved, " That the Debate be now adjourned " (*Mr. Monk*) ; Question put, and agreed to ; Debate adjourned

Truro, Lord
Africa, South—Zulu War—Defeat at Isandlana —Court of Inquiry, 730
Telegram—Victory at Ulundi, 1096
Army—Officers on Half Pay—The Circular Letter, May, 1866, 159
Army Discipline and Regulation, 2R. 840
Brentford and Isleworth Tramways, 3R. Amendt. 272, 956
Cruelty to Animals, 2R. 419

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Truro, Lord—*cont.*
Merchant Shipping—Explosives Act, 1875, 1839
Prince Imperial, The Late—Court Martial on Lieutenant Carey, Motion for Papers, 1835, 1838

Turkey
Miscellaneous Questions
Amoosh Aga, Questions, Mr. H. Samuelson ; Answers, Mr. Bourke, Mr. Speaker *July* 14, 312
Chefket Pasha, Questions, Sir Charles W. Dilke, Mr. H. Samuelson ; Answers, Mr. Bourke *July* 14, 305
The Jews in Eastern Roumelia, Notice of Question, Mr. Serjeant Simon *July* 21, 842 ; Question, Mr. Serjeant Simon ; Answer, Mr Bourke *July* 22, 964

Turnpike Acts Continuance Bill
(*Mr. Salt, Mr. Sclater-Booth*)
c. Read 2°* *July* 14 [Bill 239]
Committee ; Report *July* 23, 1138
Considered * ; read 3° *July* 24
l. Read 1ª* (*Lord President*) *July* 25 (No. 163)

University Education (Ireland) Bill
(*The O'Conor Don, Mr. Kavanagh, Mr. Shaw, Mr. Mitchell Henry, Lord Charles Beresford, Mr. Parnell*)
c. Order for 2R. read, and discharged ; Bill withdrawn *July* 23, 1099 [Bill 183]

University Education (Ireland) (No. 2) Bill [H.L.] (*The Lord Chancellor*)
l. Moved, " That the House do now resolve itself into Committee " *July* 11, 151
Amendt. to leave out (" now,") and add (" this day three months " (*The Lord Oranmore and Browne*) ; after short debate, on Question, That (" now,") &c. ? resolved in the affirmative ; Committee (No. 134)
Report, after debate *July* 14, 283
Read 3ª, after short debate *July* 15, 441
c. Read 1°* (*Mr. J. Lowther*) *July* 17 [Bill 250]
Moved, " That the Bill be now read 2° " *July* 24, 1182
Amendt. to leave out from " That," and add " no measure of University Education can be considered satisfactory to the people of Ireland which does not provide increased facilities for Collegiate Education as well as for the attainment of University Degrees " (*Mr. Shaw*) *v.* ; Question proposed, " That the words, &c. ;" after long debate, Question put ; A. 257, N. 90 ; M. 167 (D. L. 192)
Main Question proposed, " That the Bill be now read 2° ;" after short debate, Moved, " That the Debate be now adjourned " (*Sir Wilfrid Lawson*) ; after further short debate, Question put ; A. 28, N. 260 ; M. 232 (D. L. 193)
Main Question put, and agreed to ; Bill read 2°
10 *Geo. IV. cap.* 7, Question, Mr. P. J. Smyth ; Answer, The Attorney General for Ireland *July* 29, 1524

[*cont.*

University Education (Ireland) (No. 2) Bill—cont.
Moved, "That the House will resolve itself into Committee upon Tuesday next, at Two of the clock" *August* 1, 1940
Amendt. to leave out "at Two of the clock" (*Mr. Courtney*); Question proposed, "That the words, &c.;" after short debate, Question put; A. 70, N. 2; M. 68 (D. L. 202)
Main Question put, and agreed to

University Education (Ireland) (No. 2) [*Fellowships, &c. Pensions, &c.*]
c. Considered in Committee *July* 29
Resolution reported *July* 30

Vaccination Acts (Ireland) Amendment Bill
Question, Mr. G. E. Browne; Answer, Mr. J. Lowther *August* 1, 1846

Vaccination Prosecutions — Dewsbury Union
Question, Mr. Serjeant Simon; Answer, Mr. Sclater-Booth *July* 29, 1526

Valuation of Lands and Assessments (Scotland) Bill
(*The Lord Advocate, Mr. Secretary Cross*)
c. Bill withdrawn* *July* 17 [Bill 144]

Valuation of Property Bill
(*Mr. Sclater-Booth, Mr. Chancellor of the Exchequer, Mr. Salt*)
c. Bill withdrawn* *July* 30 [Bill 71]

VERNER, Mr. E. W., *Armagh Co.*
Great Northern Railway (Ireland), Consid. Amendt. 744
Supply—Constabulary Force in Ireland, 886, 887
Local Government Board in Ireland, &c. 1428
Superintendence of Prisons, &c. in Ireland, 942

VIVIAN, Mr. H. Hussey, *Glamorganshire*
Parliament—Public Business—Tuesdays and Wednesdays, 334
Parliament — Privilege — Note-taking in the Members' Side Gallery, Res. 219

Volunteer Corps (Ireland) Bill
(*Mr. O'Clery, Major Nolan, Lord Francis Conyngham, Major O'Beirne*)
c. Read 3° * *July* 16 [Bill 200]
l. Read 1ª * (*Viscount Monck*) *July* 17 (No. 154)

WAIT, Mr. W. K., *Gloucester*
Agriculture, Royal Commission on, 160
East India Museum, South Kensington, 614

WALPOLE, Right Hon. Spencer H., *Cambridge University*
Tower High Level Bridge (Metropolis) Committee, 602, 1107, 1109, 1536;—Petition, 1632, 1638

WALTER, Mr. J., *Berkshire*
Army Discipline and Regulation, Consid. 678

WARD, Dr. M. F., *Galway*
University Education (Ireland) (No. 2), 2R. 1208, 1270

WATERLOW, Sir S. H., *Maidstone*
Metropolitan Police Force—Report of the Departmental Commission, 854

WAVENEY, Lord
Army Discipline and Regulation, 3R. 959
Cruelty to Animals, 2R. 435
Prince Imperial, The Late, Motion for Papers, 1836
University Education (Ireland), Report, 288, 289

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Inland Revenue—Probate, Administration, and Legacy Duties, Question, Mr. Dodds; Answer, The Chancellor of the Exchequer *July* 17, 663
The Income Tax—Education Rates, Question, Lord Stanley of Alderley; Answer, The Duke of Richmond and Gordon *July* 24, 1168

WAYS AND MEANS
Considered in Committee *July* 31
(1.) Resolved, That, towards raising the supply granted to Her Majesty, the Commissioners of Her Majesty's Treasury be authorised to raise any sum, not exceeding £3,000,000, by an issue of Exchequer Bonds, Exchequer Bills, or Treasury Bills
(2.) Resolved, That the principal of all Exchequer Bonds which may be so issued shall be paid off at par, at the expiration of any period not exceeding three years from the date of such Bonds
(3.) Resolved, That the Interest of all such Exchequer Bonds shall be paid half-yearly, and shall be charged upon and issued out of the Consolidated Fund of the United Kingdom, or the growing produce thereof
Resolutions reported *August* 1

WEDDERBURN, Sir D., *Haddington Burghs*
Army Discipline and Regulation, Comm. *cl.* 180, Amendt. 122
Game Laws Amendment (Scotland), 1298; Comm. 1941
Supply—Suez Canal, 1599

WHITBREAD, Mr. S., *Bedford*
Army Discipline and Regulation, Comm. *cl.* 166, 68
Tower High Level Bridge (Metropolis) Committee, Report, 973

WHITWELL, Mr. J., *Kendal*
Africa, South—War with Sikukuni, 965
Zulu War—Papers, 966
Army Discipline and Regulation, Comm. *cl.* 167, 99; Consid. *cl.* 45, 783

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WHITWELL, Mr. J.—*cont.*
Army Estimates—Army Reserve, 2016
Bankruptcy Law Amendment, 2R. 955
Navy Estimates—Miscellaneous Services, 1932
Supply — Charitable and other Allowances, Great Britain, 1613
  Colonies, Grants in Aid, 1594
  Dublin Metropolitan Police, 954
  Inland Revenue, 1615
  Pauper Lunatics, England, 1378
  Savings Banks and Friendly Societies, Fund for, 1393
  Science and Art Department, &c. 1939, 1969
  Suez Canal, 1597
  Tonnage Bounties, &c. 1604

WILLIAMS, Mr. B. T., *Carmarthen*
Supreme Court of Judicature Acts Amendment, Comm. *add. cl.* 724, 726

WILLIAMS, Mr. W., *Denbigh, &c.*
Supreme Court of Judicature Acts Amendment, Comm. *add. cl.* 726

WILMOT, Sir J. E., *Warwickshire, S.*
Criminal Law—Case of Edmund Galley, Motion for an Address, 1335, 1351 ; Amendt. 1362, 1365, 1366

WOLFF, Sir H. D., *Christchurch*
Congress of Berlin (Unfulfilled Arrangements), Motion for an Address, 1054
Law of Succession in Mahomedan States, 626

Workmen's Compensation Bill [H.L.]
(*The Earl De La Warr*)
l. Order of the Day for resuming the Adjourned Debate on Motion for Second Reading, read *July* 17, 603
Adjourned Debate put off, after short debate
Bill withdrawn, after short debate *July* 31, 1695

Wormwood Scrubs Regulation Bill
(*The Lord Ashford*)
l. Report * *July* 10 (No. 128)
Committee *; Report *July* 11
Read 3ª * *July* 14
Royal Assent *July* 21 [42 & 43 *Vict.* c. clx]

WYNDHAM, Hon. P. S., *Cumberland, W.*
Banking and Joint Stock Companies, 2R. 1101
Science and Art—Indian Museum, 851

YARMOUTH, Earl of (Comptroller of the Household)
Agricultural Depression, Her Majesty's Answer to the Address, 344

YORK, Archbishop of
Cathedrals Commission — Constitution of the Commission, 133
Public Health Act (1875) Amendment (Interments), 3R. 438

YORKE, Mr. J. R., *Gloucestershire, N.*
Army Discipline and Regulation, Consid. 670
Horticultural Society's Gardens, South Kensington, 853
Royal Horticultural Society, 12
School Boards (Duration of Loans), 2R. 1128
Treaty of Berlin—Russians in Eastern Roumelia, 845, 1181

END OF VOLUME CCXLVIII., AND SIXTH VOLUME OF SESSION 1879.

LONDON: CORNELIUS BUCK, 22, PATERNOSTER ROW, E.C.

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